

at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 274 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 186 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 343 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 373 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 27 and finds it correctly enrolled, and has this day,

at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 375 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 349 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 79 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 147 and finds it correctly enrolled, and has this day, at 5:25 o'clock p. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

FORTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,
Saturday, March 20, 1915.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was

called to order by Lieutenant Governor W. P. Hobby.

The roll was called, a quorum being present, the following Senators answered to their names:

Astin.	King.
Bee.	McCollum.
Clark.	McNealus.
Conner.	Morrow.
Cowell.	Nugent.
Hall.	Parr.
Harley.	Smith.
Harris.	Sulter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McGregor.
Brelsford.	Page.
Darwin.	Robbins.
Gibson.	

Prayer by Mr. Atkins.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hudspeth.

House Bill No. 149—Conference On.

Senator Bee made the following motion:

I move that the Senate grant the request for a conference committee on H. B. No. 149, and that Senators Page, Hudspeth, Astin, Bailey of Harris and Robbins be appointed as conferees on the part of the Senate.

The above motion was read and adopted.

H. B. No. 149—Adoption of Conference Report.

Committee Room,

Austin, Texas, March 20, 1915.

To the Hon. W. P. Hobby, President of the Senate, and the Hon. John W. Woods, Speaker of the House of Representatives:

Sirs: We, your free conference committee appointed to reconcile the differences between the House and Senate upon H. B. No. 149, the same being a bill to be entitled

"An Act to amend Article 1606, Title 32, Chapter 5, Revised Civil Statutes of Texas of 1911, as amended by Act approved February

24, 1905, of the Twenty-ninth Legislature, Regular Session, relating to the employment of stenographers by the Courts of Civil Appeals,"

Have agreed upon the following free conference report, and beg leave to report the same back to the House and Senate, with the recommendation that the same do pass, with the following amendments:

Cardwell, Nichols, Gates, Weber, Low, on the part of the House.

Page, Astin, Robbins, Bailey of Harris, Hudspeth, on the part of the Senate.

Amend H. B. No. 149 by adding Section 3 thereto as follows:

"The fact that the salaries of the stenographers of the Courts of Civil Appeals of this State are totally inadequate and insufficient to retain capable stenographers and the crowded condition of the calendar and near approach of the close of the session creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

Amend the caption to H. B. No. 149 by adding after the word "Appeals" in such caption the following, "and declaring an emergency."

The above report was read and adopted by the following vote:

Yeas—22.

Astin.	Lattimore.
Bailey of Harris.	McCollum.
Bee.	McNealus.
Clark.	Morrow.
Conner.	Page.
Darwin.	Parr.
Hall.	Robbins.
Harris.	Smith.
Hudspeth.	Sulter.
Johnson.	Townsend.
King.	Wiley.

Absent.

Bailey of DeWitt.	Henderson.
Brelsford.	McGregor.
Cowell.	Nugent.
Gibson.	Westbrook.
Harley.	

Senator Bee moved to reconsider the vote by which the conference report was adopted and table the motion to reconsider.

The motion to table prevailed.

Address by Former Governor.

In response to an invitation extended on yesterday, by simple resolution, inviting Former Governor Colquitt to address the Senate, the committee so appointed to present him to the Senate announced that the former Governor was in the Capitol, after which he was presented to the Senate and made an address.

Simple Resolution No. 146.

By Senator Conner:

Whereas, it is apparent that the Senate needs some rule in the appointment and assignment of employees; therefore, be it

Resolved, That the Lieutenant Governor appoint a committee of three Senators, who are hereby requested to meet in the Senate Chamber one day before the convening of the Special Session and prepare some rules and regulations governing the appointment and assignment of employees to places and duty.

Conner, Henderson, Harris, Lattimore.

The resolution was read, and Senator Clark offered the following amendment:

Amend the resolution by striking out "three," and adding "the entire Senate."

The amendment was read and adopted.

The resolution was adopted, as amended.

House Bill No. 156.

The Chair laid before the Senate, on third reading,

H. B. No. 156, A bill to be entitled "An Act to amend Article 477 (340) of the Penal Code of the State of Texas, 1911, relating to the carrying of arms."

The bill was read third time and passed.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in the Senate amendments to House Bill No. 278.

The House concurs in Senate amendments to House Joint Resolution No. 30, by the following vote: Yeas, 78; nays, 19; 1 present, not voting.

The House concurs in Senate amendments to House Bill No. 297.

The House adopts free conference report on House Bill No. 149.

The House adopts free conference report on House Joint Resolution No. 3.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

Free Conference Report on House Bill No. 7.

Committee Room,

Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate; Hon. John W. Woods, Speaker of the House of Representatives:

Sirs: We, your Conference Committee on House Bill No. 7, beg leave to report that we have met and adjusted the differences between the House and Senate in respect to said bill, and recommend to the House and Senate the adoption of the following report, to wit:

Strike out of Article 6174, of the engrossed bill, all after the word "shares," in line 5 of said article.

Strike out of engrossed bill all of Section 12.

Amend the bill by adding to Article 6231a, after the word "commission," in line 4 of said article of engrossed bill the following: "Where the act complained of related to or affected the property belonging to the prison system."

Amend Article 6196 of the engrossed bill by striking out the figures "\$25.00," in line 5 of said bill, and inserting in lieu thereof the figures "\$35.00."

Amend Article 6231a of the engrossed bill by adding to said article the following: "Provided, that permission is hereby granted to the Imperial Sugar Company, a private corporation organized under the laws of the State of Texas, and having its domicile in Fort Bend County, Texas, to bring suit against the Prison Commission of the State of Texas, or the State of Texas, for the following items to be due said Imperial Sugar Company."

(a) For money advanced, labor performed, merchandise and supplies furnished and services rendered in racking cars, \$22,967.38.

(b) For loss on 12,500 tons of cane belonging to the Imperial Sugar Company on account of failing to harvest in proper time, \$50,000.00.

(c) For loss in manufacturing 12,500 tons of cane belonging to the State at contract price, \$25,000.00.

(d) For damages to fences belonging to Imperial Sugar Company while plantations were in charge of Prison Commission, \$28,304.00.

(f) To damages to buildings, \$750.00.

(g) To damages to roads and turn-rows, \$14,152.00.

(h) To damages to tram cars, \$1,132.50.

(i) To damages to harness, implements, tools, etc., \$4,000.00.

(j) To clearing 25,000 tons of frozen cane from grounds left by Prison Commission, \$18,750.00.

(k) To loss on sorghum crop not gathered in proper time, \$7,500.00.

(l) To loss on cotton picked, \$2,500.00.

(m) To cost of removing sorghum, \$1,000.00.

(n) To loss in Ramsey cane contract on account of commissioners failing to comply with the terms thereof, \$10,000.00.

(o) To loss of profit on 17,000 tons sugar cane sold by commission to Arcola Sugar Company in 1912 and 1913 in violation of contract, \$68,000.00.

That B. A. Eastham of Walker County, Texas, be and is hereby authorized and permitted to sue the State of Texas and the Prison Commission of the State of Texas in the district court of Walker County, Texas, for damages for the breaches claimed by him on the part of the Prison Commission by the State of Texas, and for the failure claimed by him of said Prison Commission to perform the duties and obligations arising out of the contract made between the said B. A. Eastham and J. A. Herring, as superintendent, and A. M. Barton, as financial agent, of the penitentiaries of the State of Texas, which contract bears date the twelfth day of January, A. D. 1910, respecting the cultivation on the share farm system, with convict labor, for a term of two years commencing January 1, A. D. 1910, and

ending December 31, A. D. 1911, of the farm of the said B. A. Eastham, consisting of about one thousand acres, and lying and being situate in Walker County, Texas; and the said B. A. Eastham is hereby fully authorized, empowered and permitted in such suit to set up and urge the breaches, if any, of said contract by the Prison Commission of the State of Texas; and, that W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., as executors of and devisees under the will of Mrs. Delha Eastham, deceased, be and they are hereby authorized and permitted to sue the State of Texas and the Prison Commission of the State of Texas, in the district court of Walker County, Texas, for damages for the breaches claimed by them on the part of the Prison Commission of the State of Texas of the contract and for the failure claimed by them of said Prison Commission to perform the duties and obligations arising out of the contract made between the said Mrs. Delha Eastham in her lifetime and J. A. Herring, as superintendent, and J. C. Hayes, as financial agent, of the penitentiaries of the State of Texas, respecting the cultivation of the farm of the said Mrs. Delha Eastham, consisting of about four thousand acres and lying and being situate in Houston County, Texas, and the said W. A. Eastham, Duncan Eastham and Luther Eastham, Jr., are hereby fully authorized, empowered and permitted, as such executors and devisees, in such suit, to set up and urge the breaches, if any, of said contract by the Prison Commission of the State of Texas, provided that said right granted said parties to sue shall not affect any pending legislation.

Hudspeth, Nugent, Bailey of Harris, Bailey of DeWitt, on the part of the Senate.

Hill, Tifflotson, Savage of Bell, Maddox, on the part of the House.

(Minority Report.)

Committee Room,
Austin, Texas, March 19, 1915.

Hon. John W. Woods, Speaker of the House of Representatives, and Hon. W. P. Hobby, President of the Senate.

Sirs: Now comes W. M. Fly, member of the House, and a member of a free conference committee considering H. B. No. 7, and files

his minority report to said committee majority report, and especially declines to approve that part of said H. B. No. 7, which by said conference committee has been added to said Bill No. 7, giving certain citizens and corporations the right to sue the State of Texas, on certain pretended claims mentioned in said committee report. To the remainder of said report I acquiesce and agree.

FLY.

I concur in above and join in minority report.

BRELSFORD,
Of Senate Conferees.

The above reports were read, and Senator Nugent moved that the majority report be adopted, which motion prevailed by the following vote:

Yeas—16.

Astin.	Johnson.
Bailey of DeWitt.	King.
Bailey of Harris.	Nugent.
Bee.	Page.
Clark.	Robbins.
Darwin.	Smith.
Harris.	Townsend.
Hudspeth.	Wiley.

Nays—7.

Brelsford.	Lattimore.
Conner.	Suiter.
Cowell.	Westbrook.
Henderson.	

Present—Not Voting.

Harley.	Morrow.
McGregor.	

Absent.

Gibson.	McNealus.
Hall.	Parr.
McCollum.	

Senator Nugent moved to reconsider the vote by which the report was adopted and table the motion to reconsider.

The motion to table prevailed.

Free Conference Committee Report on Senate Joint Resolution No. 3.

Committee Room,

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate, and Hon. John W. Woods, Speaker of the House of Representatives.

Sirs: We, your Free Conference

Committee, appointed to consider the differences between the two houses on H. J. R. No. 3, having met, after full and free conference, have agreed to make, and do make, the following recommendations, to wit:

First. That the Senate recede from all its amendments to said House Joint Resolution, to wit, Amendments Nos. 1, 2, 3, 4 and 5.

All of which is respectfully submitted.

Lattimore, Conner, Robbins, Darwin, Bee, on the part of the Senate.

Butler, Davis, Cope, Nabours, Burmeister, on the part of the House.

The above report was read and Senator Hudspeth moved to table same, which motion was adopted.

Time For Executive Session Changed.

At 11 o'clock a. m. Senator Darwin called attention that this hour had been designated to hold executive session to consider action on contemplated appointments by the Governor. On account of the failure of receipt of message from the Governor submitting appointments, the time was changed until 11:30 o'clock today.

House Bill No. 9.

The Chair laid before the Senate, on third reading,

H. B. No. 9, A bill to be entitled "An Act to establish a State Board of Forestry and to promote forest interests in the State."

After discussion, Senator Johnson made the point of order that the bill was not in order at this time on account of the near approach of the hour of final adjournment.

The Chair overruled the point of order.

The bill was laid before the Senate, read third time, and passed by the following vote:

Yeas—12.

Astin.	Harris.
Bailey of Harris.	Hudspeth.
Bee.	King.
Brelsford.	Morrow.
Clark.	Nugent.
Harley.	Robbins.

Nays—11.

Bailey of DeWitt.	Smith.
Conner.	Suiter.
Darwin.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.
Lattimore.	

Present—Not Voting.

Hall.	McNealus.
McCollum.	

Absent.

Cowell.	Page.
Gibson.	Parr.
McGregor.	

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bill:

Senate Bill No. 300, A bill to be
entitled "An Act to amend Chapter
6, Title 13, of the Penal Code of
1911, by inserting after Article 889
a new article to be known as 889a,
fixing the closed season for killing
doves in this State, and declaring an
emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representa-
tives.

House Concurrent Resolution No. 16.

(Floor Report.)

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the
Senate.

Sir: We, your Committee on Con-
tingent Expenses, to whom was re-
ferred House Concurrent Resolution
No. 16, which is a Resolution pro-
viding for the printing of 350
copies of the Legislative Manual of
the Thirty-fourth Legislature,

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate
with the recommendation that it do
pass.

Wiley, Chairman; Brelsford, Har-
his, Conner, Page.

The above report was read and
adopted.

House Bill No. 85.

The Chair laid before the Senate,
on second reading,

H. B. No. 85, A bill to be entitled
"An Act to promote and preserve
the credit of the agricultural classes
and to provide means to carry into
effect said Act and to make an ap-
propriation therefor."

The bill was read second time and
passed to a third reading.

On motion of Senator Morrow, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 85 put on
its third reading and final passage
by the following vote:

Yeas—24.

Astin.	King.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Clark.	Nugent.
Conner.	Parr.
Cowell.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Nays—2.

Bailey of DeWitt. Darwin.

Absent.

Gibson.	McCollum.
Harris.	Page.
Lattimore.	

The bill was laid before the Sen-
ate, read third time, and passed.

House Bill No. 566.

The Chair laid before the Senate,
on second reading,

H. B. No. 566, A bill to be entitled
"An Act to amend Chapter 172, Sec-
tions 15, 19, 20, 21, 58, 59, 69, 70,
83, 85 and 97 of the General Laws
of the State of Texas, passed at the
Regular Session of the Thirty-third
Legislature, relating to irrigation
districts, and declaring an emer-
gency."

The committee report was adopted.

The bill was read second time and
passed to a third reading.

On motion of Senator Hudspeth,
the constitutional rule requiring

bills to be read on three several days was suspended, and H. B. No. 566 put on its third reading and final passage by the following vote:

Yeas—24.

Astin.	King.
Bailey of Harris.	McGregor.
Bee.	McNealus.
Brelsford.	Morrow.
Clark.	Nugent.
Conner.	Parr.
Cowell.	Robbins.
Hall.	Smith.
Harley.	Suiter.
Henderson.	Townsend.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Absent.

Bailey of DeWitt.	Lattimore.
Darwin.	McCollum.
Gibson.	Page.
Harris.	

The bill was laid before the Senate, read third time and passed.

Simple Resolution No. 147.

By Senator Bee:

Resolved, by the Senate of Texas, That a committee of three be appointed by the Chair to notify the Governor of Texas that the Senate is ready to adjourn, and await any further communications from him, extending to himself and family their felicitations and best wishes. And be it further

Resolved, That a like committee be appointed to give similar notice to the House of Representatives, extending to said body the best wishes and felicitations of the Senate.

The resolution was read and adopted.

The Chair appointed the following as the committees provided for:

To notify the Governor: Senators Bee, Hall and Wiley.

To notify the House: Senators Darwin, Westbrook and Robbins.

House Bill No. 348.

The Chair laid before the Senate, on third reading,

H. B. No. 348, A bill to be entitled "An Act to exempt Tom Green, Sterling, Irion and Schleicher Counties from the operation of Section 90 of

the Acts of the Thirty-third Legislature of Texas, approved April 9, 1913, General Laws, Thirty-third Legislature, pages 358 et seq., relating to irrigation, and declaring an emergency."

The bill was laid before the Senate, read third time, and passed.

Message From the Governor.

Governor's Office,
Austin, Texas, March 20, 1915.

To the Texas State Senate:

I respectfully ask the advice and consent of the Senate to the appointment of persons named in the attached lists, to be Notaries Public in and for the counties shown.

Respectfully submitted,

JAS. E. FERGUSON,
Governor of Texas.

(Note: The "attached" lists of names referred to were confirmed and will be found printed immediately following the confirmation of same.

Simple Resolution No. 148.

By Senator Clark:

Resolved, That the Senate refuse to further consider any more bills of any kind.

Senator Wiley offered the following substitute:

Whereas, it is now only one hour until the hour of adjournment of this session of the Senate, and that it is useless to continue the passage of bills at this time; therefore, be it

Resolved, by the Senate, That no more bills be considered for final passage at this session, and that the Senate now give its attention to matters relating to adjournment.

The substitute was adopted and the resolution, as substituted, was adopted.

Simple Resolution No. 149.

Resolved, by the Senate, acting for the people of the State, That we extend to the Hon. W. P. Hobby, Lieutenant Governor, our sincere thanks for the uniform courtesy, fairness and intelligent manner in which he has presided over the destinies of the Senate, and that we congratulate the people of Texas on having the services of Governor Hobby in this

exalted position, and we bear willing testimony to his zeal, energy and fidelity in the discharge of every public duty.

Westbrook, Astin, Bailey of DeWitt, Bailey of Harris, Bee, Brelsford, Clark, Conner, Cowell, Darwin, Gibson, Hall, Harley, Harris, Henderson, Hudspeth, Johnson, King, Lattimore, McCoillum, McGregor, McNealus, Morrow, Nugent, Page, Parr, Robbins, Smith, Suiter, Townsend, Wiley.

The above resolution was read and adopted, Senator Westbrook being requested by the Chair to put the question.

Simple Resolution No. 150.

By Senator Hudspeth:

Be it resolved, by the Senate, That the able delegation of press correspondents have been fair and impartial in their reports of the proceedings of the Senate, and

Whereas, these gentlemen are handsome, intelligent and courteous. Therefore, be it

Resolved, That the Senate do now express its thanks to these able young Americans.

HUDSPETH.
McNEALUS.

The resolution was read and adopted.

Executive Session.

Here the Chair announced that the hour for the executive session having arrived, directed that the chamber be cleared of all not entitled to remain.

In executive session the names of all the Notaries Public appointments, as per the message of the Governor of today, were confirmed.

Delta County.

Barnett, J. M. Delta
Johnston, B. B. Enloe
Pierce, W. W. Cooper
Parish, M. L. Cooper
Philips, Pearl. Cooper
Ratliff, Jno. L. Cooper
Simmons, G. B. Cooper
Smith, J. C. Cooper
Taylor, B. B. Cooper
Wallace, W. M. Cooper
Young, Jennie. Cooper

Franklin County.

Billington, J. G. Sulphur Bluff
Devall, Chas. R. Mount Vernon
Long, W. W. Mount Vernon
Long, P. C. Mount Vernon
Saunders, T. J. Mount Vernon
Taylor, W. E. Mount Vernon

Hopkins County.

Ashcroft, Chas. E. Sulphur Springs
Corbet, C. M. Miller Grove
Ferguson, J. T. Sulphur Springs
Finley, W. C. Sulphur Springs
Graves, R. A. Cumby
Lindley, J. F. Peerless
Martin, J. H. Arbala
Pharr, H. E. Sulphur Springs
Payne, I. M. Como
Smith, R. S. Cumby
Smith, R. G. Cumby

Red River County.

Allen, T. E. Madras
Banks, T. E. Clarksville
Bailey, H. C., Sr. Detroit
Bowman, R. C. Detroit
Carter, A. B. Detroit
Clark, Frank H. Acworth
Cook, Norton Clarksville
Duke, W. E. Lydia
Day, John H. Detroit
Dodd, A. C. Rosalie
Fiveash, J. D. Clarksville
Giddens, Chas. P. Annona
Giddens, L. E. Clarksville
Graves, A. M. Clarksville
Hooker, J. H. Fulbright
Hughes, W. H. Lydia
Jones, Hubert. Bagwell
Jones, A. L. Bagwell
Layton, D. Y. Rosalie
Moon, Z. B. Bogota
McCarver, Joe M. Annona
Mauldin, Bradley. Clarksville
Owen, Nellie. Clarksville
Perdue, Leo. Rosalie
Peterson, John W. Scrap
Rickett, Guy. Clarksville
Ragsdill, W. J. Clarksville
Ragsdill, Jack. Clarksville
Ragsdale, J. I. Clarksville
Storey, H. W. Annona
Sims, M. L. Clarksville
Stephens, W. E. Bagwell
Stanley, R. L. Bogota
Shappard, J. A. Detroit
Shackelford, Miss Sallie. Clarksville
Strickland, Clyde. Bagwell
Wilson, R. J. Detroit
Whitener, W. E. Detroit

Wade, J. L. Detroit
 Williams, C. E. Clarksville
 Wade, Jno. J. English

Titus County.

Armstrong, L. H. Mount Pleasant
 Brown, T. B. Mount Pleasant
 Brown, A. O. Mount Pleasant
 Bishop, W. R. Talco
 Cargile, R. B. Mount Pleasant
 Cooley, J. F. Mount Pleasant
 Graf, F. B. Mount Pleasant
 Green, H. B. Mount Pleasant
 Hayes, William Z. Mount Pleasant
 Peterman, H. W. Mount Pleasant
 Presley, W. R. Mount Pleasant
 Riddle, Ed. Mount Pleasant
 Rowland, J. B. Mount Pleasant
 Summerlin, Wylie H. Ripley
 Ward, Jno. F. Mount Pleasant
 Wilkinson, J. F. Mount Pleasant
 Waller, F. L. Mount Pleasant
 Ward, J. A. Mount Pleasant
 Young, A. B. Mount Pleasant

THIRD DISTRICT.

Fannin County.

Fitzgerald, Jno. T. Bonham
 Barns, Tom M. Bonham
 Barnes, Tom M. Bonham

Lamar County.

Bailey, Jos. L. Paris

FOURTH DISTRICT.

Grayson County.

Leonard, Mattie D.
 Murphy, T. L.
 Schulze, Ottillie M.
 Moore, Edwin.
 Cornelius, B. W.
 Cornelius, B. W.
 Dowden, S. B.

FIFTH DISTRICT.

Collin County.

Doggett, J. L. McKinney

Hunt County.

Waller, J. A. Commerce

SIXTH DISTRICT.

Dallas County.

Abbott, Daisy. Dallas
 Adams, Spencer. Dallas
 Baker, Miss Ona. Dallas
 Buford, Fred S. Dallas
 Burch, A. M. Dallas
 Burgess, R. H. Dallas
 Burgher, Ballard. Dallas
 Connor, Vera. Dallas
 Crutcher, C. F. Dallas
 Crutcher, J. D. Dallas
 Doerr, E. B. Dallas
 DuBois, Mrs. T. Dallas
 Erwin, H. L. Dallas
 Finley, Knox. Dallas
 Foote, F. R. Dallas
 Frost, John. Dallas
 Garrison, J. C. Dallas
 Goodstein, M. Dallas
 Hardy, A. T. Dallas
 Hartman, W. W. Dallas
 Jackson, J. H. Dallas
 Jacobs, Saide R. Dallas
 Jacobs, Sadie R. Dallas
 Kight, H. J. Dallas
 Knobelsdorf, Curtis S. Dallas
 Luna, W. B. Dallas
 McCulloch, L. N. Dallas
 McEntee, J. C. Rowlett
 McGuire, R. N. Dallas
 Mays, Livingston M. Dallas
 May, A. W. Dallas
 Milam, L. B. Dallas
 Morris, R. H. Dallas
 Odell, James. Dallas
 Rice, S. P. Dallas
 Runge, Julius H. Dallas
 Russell, A. W. Dallas
 Sanders, T. A. Dallas
 Scott, Thomas P. Dallas
 Sergeant, F. C. Dallas
 Sergeant, Geo. Dallas
 Stern, Robt. Dallas
 Thompson, Hy G. Dallas
 Touchstone, O. O. Dallas
 Thorne, Carl. Dallas
 Traux, Wm. Dallas
 Underwood, I. C. Dallas
 Usher, R. Dallas
 Vogel, R. H. Dallas
 Wade, B. L. Dallas
 Wardell, Edna A. Dallas
 Wills, H. G. Dallas
 Wilson, A. C. Dallas
 Wilson, Prentice. Dallas

EIGHTH DISTRICT.

Gregg County.

Campbell, Thos. D. Longview

Wyche, Reagan.....Longview
Young, Ras.....Longview

NINTH DISTRICT.

Navarro County.

Callicutt, J. S.....Corsicana
Lindley, N. A.....Corsicana

TENTH DISTRICT.

Hill County.

Alexander, W. W.....Hillsboro
Burns, J. D.....Brandon
Bailey, Lelia.....Hillsboro
Baker, I. L.....Hillsboro
Barton, H. J.....Itasca
Bender, R. M.....Hillsboro
Cox, E. M.....Hillsboro
Christian, M. L.....Irene
Cannon, Ira O.....Hillsboro
Coffin, R. W.....Itasca
Carlisle, G. E.....Itasca
Collier, J. N.....Whitney
Deat, A. H.....Hillsboro
Griffin, Jno. L.....Itasca
Hankins, Sylvia.....Hillsboro
Holmes, I. H.....Hillsboro
Hooke, R. O.....Mertens
Hodge, B. L.....Hillsboro
Harris, A. B.....Italy
Hughes, E. O.....Hillsboro
Jetton, W. G.....Mt. Calm
Jones, Jim.....Hubbard
Jamison, A. S.....Hillsboro
Jenkins, W. H.....Hubbard
Lewellyn, C. P.....Hillsboro
Liddons, R. F.....Itasca
Lowrey, Fred V.....Hillsboro
McKinnon, E.....Hillsboro
McMahan, E. Q.....Whitney
Melton, Hassie.....Hillsboro
Moore, P. G.....Hillsboro
Nowlin, L. A.....Whitney
Porter, Geo. L.....Whitney
Patterson, T. B.....Hillsboro
Rush, J. A., Jr.....Mt. Calm
Roy, R. J.....Blum
Sayers, R. H.....Whitney
Sturgis, Sarah.....Hillsboro
Stephenson, J. D.....Hillsboro
Scruggs, B. F.....Hillsboro
Vestal, Felix H.....Itasca
Walker, J. L.....Itasca
Wynne, Jno.....Hillsboro
Watson, R. L.....Osceola
Wright, J. F.....Hillsboro
Wharton, T. B.....Hubbard
Works, F. P.....Hillsboro
Weeks, L. F.....Malone
Zollicoffer, E. A.....Irene

Johnson County.

Adams, E. D.....Cleburne
Bishop, Maybell.....Cleburne
Barnes, L. P.....Cleburne
Cleveland, C. L.....Cleveland
Crank, R. H.....Cleburne
Coney, M.....Cleburne
Clayton, J. S.....Cleburne
Cooper, J. P.....Lillian
Davis, Myrtle.....Cleburne
Featherstone, W. B.....Cleburne
Hartsfield, W. T.....Cleburne
Hallman, Geo. R.....Alvarado
Halsley, W. A.....Cleburne
Horwood, R. J.....Cleburne
Hopper, W. H.....Cleburne
Harris, O. T.....Godley
Humphreys, G. W.....Cleburne
Joiner, J. B.....Cleburne
Kountz, P. F.....Cleburne
Martin, W. R.....Egan
Meredith, H. H.....Cleburne
Oxford, Dick.....Godley
Overturff, C. M.....Cleburne
Patton, I. A.....Alvarado
Park, H. L.....Alvarado
Phillips, Minnie.....Burleson
Pitts, C. A.....Cleburne
Pope, W. A.....Alvarado
Peters, S. K.....Cleburne
Roberts, W. A.....Lillian
Richardson, C. B.....Rio Vista
Roebuck, L. B.....Lillian
Senter, W. A.....Parker
Stagner, A. L.....Cleburne
Sauerman, O.....Cleburne
Wilson, H. S., Jr.....Cleburne
Williamson, J. L.....Cleburne
Wells, N. H.....Cleburne
Walker, W. E.....Cleburne
Weaver, J. Y.....Alvarado
Williamson, Jasper.....Cleburne

Ellis County.

Aycock, Ed.....Midlothian
Andrews, Sam H.....Waxahachie
Arden, W. D.....Ennis
Bauder, Estelle.....Waxahachie
Bonner, C. M.....Ennis
Bonner, R. J.....Ennis
Dickson, W. T. M.....Milford
Dodson, J. H.....Aldorf
Dowdye, E. J.....Waxahachie
Coffin, R. W.....Waxahachie
Carlsile, G. I.....Waxahachie
Coker, Chas. C.....Bardwell
Hawkins, B. F., Jr.....Waxahachie
Hawkins, E. P.....Waxahachie
Kemble, Allan.....Waxahachie
Kennedy, C. L.....Waxahachie
Lasswell, A.....Waxahachie
Langsford, S. P.....Waxahachie

Morrow, T. H. Ennis
 Martin, Myrtle. Waxahachie
 McKay, Geo. W. Ferris
 McCormack, S. C. Ennis
 Newton, G. W. Midlothian
 Newton, Nester B. Forrester
 Parker, J. M. Italy
 Plummer, J. E. Waxahachie
 Pippen, C. A. Waxahachie
 Percival, R. G. Ennis
 Stiles, A. C. Waxahachie
 Smith, John H. Ferris
 Sparks, C. A. Waxahachie
 Wilkerson, S. A. Palmer
 Whipple, Tom P. Waxahachie
 Wilson, T. L. Waxahachie
 Wood, J. C. Waxahachie
 Wilson, F. L. T. Waxahachie
 Warren, G. C. Ennis

ELEVENTH DISTRICT.**Falls County.**

Hardy, K. W. Marlin
 Wolff, R. E. Perry
 Levy, Roy. Chilton

Milam County.

Smith, Joe G. Cameron
 Elliott, W. B. Thorndale

McLennan County.

Ruhman, A. E. Waco
 Hunt, A. B. Lorena
 Davis, M. B. Waco
 Harman, C. B. Waco
 Thompson, S. E. Waco

TWELFTH DISTRICT.**Brazos County.**

Leach, Felix. Allen Farm

Limestone County.

Sweatt, Jno. H. Mexia
 Bennett, L. E. Kirk

Robertson County.

Burke, A. C. Calvert

THIRTEENTH DISTRICT.**Angelina County.**

Self, Miss Lydia. Lufkin

FOURTEENTH DISTRICT.**Jefferson County.**

Mellen, L. L. Beaumont

Campbell, Will. Beaumont
 Nogueira, G. R. Beaumont

Hardin County.

Britton, W. C. Evadale
 Norvel, W. J. Kountze
 Welch, T. E. Kountze
 Nall, W. H. Kountze
 Aycock, B. L. Kountze
 Hill, A. M. Kountze
 Fountain, J. O. Kountze
 Vickers, R. E. Kountze
 Roark, A. W. Saratoga
 Fountain, W. D. Saratoga
 Cocke, R. R. Saratoga
 Rowe, Hill. Saratoga
 Luck, R. S. Sour Lake
 Tarver, A. H. Sour Lake
 Young, Sid. Sour Lake
 Bevil, J. R., Jr. Batson
 Cavitt, W. H. Batson
 Sterling, A. A. Batson
 Whitley, O. Batson
 Holleyman, Walker. Batson

FIFTEENTH DISTRICT.**Montgomery County.**

Dean, W. A. Magnolia
 Perkins, O. P. Magnolia

SIXTEENTH DISTRICT.**Harris County.**

Knobelsdorf, C. S. Houston
 Lawley, Everett. Houston
 Haylor, Chas. H. Houston
 Nesby, J. E. Houston
 Frost, J. M. Houston
 Frost, H. G., Jr. Houston
 Crimmen, F. E. Houston
 Jackson, W. L. Houston
 Desmorais, J. P. Houston
 Campbell, A. B. Houston
 Campbell, R. F. Houston
 Giles, William. Houston
 Ellis, V. M. Houston

Fort Bend County.

Seydler, George. Rosenberg

SEVENTEENTH DISTRICT.**Chambers County.**

Winfree, E. H. Anahuac
 Allen, T. F. Stowell
 Hankamer, F. A. Hankamer

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House concurs in Senate amendments to the following bills:

House Bill No. 9.

House Bill No. 348.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

Simple Resolution No. 151.

Resolved, by the Senate, That a vote of thanks be extended the Hon. C. W. Nugent, President Pro Tem. of the Senate, for the fair and impartial manner in which he has discharged the duties of that office.

Signed: Cowell, Henderson, Hudspeth, Lattimore, and all the members of the Senate.

The resolution was read and unanimously adopted.

President Pro Tem.—Election Of.

Here the Chair declared that election of a President Pro Tem. was in order, and Senator Hudspeth placed in nomination for that place Senator W. J. Townsend, Jr.

The nomination was seconded by Senators Bailey of DeWitt, Astin, Bee, King, Nugent, Westbrook, Lattimore, Johnson, McCollum, Morrow, Darwin, Hall, McGregor, Wiley, Suiter, Robbins, Harley, Smith, Page, Brelsford.

There being no other nominations, the Chair declared nominations closed.

Senators Parr, Cowell and Smith were appointed as tellers.

The result of the ballot was as follows:

Senator Townsend received 24 votes, all the votes cast.

Senator Townsend, having received a majority of all the votes cast, was declared duly and constitutionally elected President Pro Tem. of the Senate.

The Chair appointed Senators Suiter, King and Brelsford to escort Senator Townsend to the President's stand, whereupon the constitutional

oath of office was administered to him by Lieutenant Governor Hobby.

Being presented to the Senate, President Pro Tem. Townsend addressed the Senate briefly.

(President Pro Tem. Townsend in the chair.)

Report of Committee on Rules.

Senator Darwin called up the report of the Committee on Rules, filed on March 17 (see Journal of that date for the report in full).

Senator Darwin moved that the report (favorable) be adopted. The motion prevailed.

Notification Committee Report.

Here the committee to notify the Governor of the adjournment hour of the Senate reported with the following communication from the Governor:

Governor's Office,

Austin, Texas, March 20, 1915.

To the Texas Legislature:

Replying to the respectful request of your honorable committee for submission to you by me of any further matters that I might desire to bring before you before the official adjournment of your honorable body, I beg to advise that there are no matters which will at this time be submitted by me for your official consideration.

However, I am glad of the opportunity to express to you my deep and sincere appreciation of the patriotic services which you have so signally rendered the State in the passage of the many wise laws at your hands. I thank you most cordially for the loyal support and co-operation rendered me as the Governor of the State, and I take this opportunity to thank personally each individual member of this Legislature and to wish each of you Godspeed to your home and loved ones.

Yours truly,

(Signed):

JAS. E. FERGUSON,
Governor of Texas.

House Notification Committee.

Here a committee of three members from the House appeared at the bar of the Senate and reported that the

House had completed its labors and was ready to adjourn.

Senate Notifies House.

The Notification Committee of the Senate, previously named, here reported that they had performed their duties, and were discharged.

Bills Signed.

The Chair, Lieutenant Governor Hobby, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

Senate Bill No. 222, A bill to be entitled "An Act creating a State Board of Public Accountancy," etc.

Senate Bill No. 289, A bill to be entitled "An Act creating an independent school district to be known as the Charco Independent School District, in Goliad County, and declaring an emergency."

Senate Bill No. 300, A bill to be entitled "An Act to amend Chapter 6, Title 13, of the Penal Code of 1911, by inserting after Article 889 a new article, to be known as Article 889a, fixing the closed season for killing doves in this State, and declaring an emergency."

Senate Joint Resolution No. 18, Proposing and submitting to a vote of the people of Texas an amendment to Section 52, of Article 3, of the Constitution, authorizing the issuance of bonds for public improvements, and the levying of a tax to pay the interest and sinking fund on same, and for maintenance.

House Bill No. 564, A bill to be entitled "An Act to amend Chapter 74 of the Special Laws of the Thirty-second Legislature, being entitled 'An Act to create a more efficient road system for Leon County,' and declaring an emergency."

House Bill No. 650, A bill to be entitled "An Act creating the Prairie Dell Independent School District of Bell County, and declaring an emergency."

House Bill No. 667, A bill to be entitled "An Act to increase the limits of the Aransas Pass Independent School District, and declaring an emergency."

House Bill No. 586, A bill to be entitled "An Act to amend Sections 6 and 12 of an Act passed by the Twenty-seventh Legislature, known as Coryell County road law, and amended by an Act of the Thirtieth Legislature, H. B. No. 339, and to repeal Section 9 of said Acts of the Twenty-seventh Legislature."

House Bill No. 573, creating the Ore City Independent School District, situated in Upshur, Marion and Harrison Counties.

House Bill No. 116, A bill to be entitled "An Act to establish the Stephen F. Austin State Normal College."

House Bill No. 91, A bill to be entitled "An Act providing for recording tax receipts; for providing proper record books for the same, and declaring an emergency."

House Bill No. 73, A bill to be entitled "An Act to provide for the establishment and maintenance of a State farm colony for the feeble-minded, to make appropriation therefor, and to declare an emergency."

House Bill No. 66, A bill to be entitled "An Act defining certain classes of indemnity contracts, prescribing regulations thereof," etc.

House Bill No. 442, A bill to be entitled "An Act supplementary to the present law providing for the sale of land belonging to the public free school fund and the several asylum funds, and declaring an emergency."

House Bill No. 347, A bill to be entitled "An Act to validate the charters and amendments to charters and the incorporation of the cities of Ennis, Marshall, Houston, El Paso, Dallas," etc.

House Bill No. 555, A bill to be entitled "An Act to increase the civil jurisdiction of the county courts of Lynn, Dawson, Terry, Yoakum, Garza and Gaines Counties, and declaring an emergency."

House Bill No. 286, A bill to be entitled "An Act providing that an election may be held in certain common and independent school districts to determine whether or not a majority of the legally qualified property tax-paying voters desire that text books required by pupils within the scholastic age attending public free schools in said district shall be furnished to said pupils by the school trustees of said district free of charge and be paid for out of local tax funds," etc.

House Bill No. 605, A bill to be entitled "An Act creating the Burnet Independent School District, in Burnet County, Texas."

House Bill No. 627, A bill to be entitled "An Act to amend Chapter 77, Acts of 1901, providing for a more efficient road system for Milam County, Texas; prescribing additional duties for county commissioners and fixing their compensation."

House Bill No. 221, A bill to be entitled "An Act to amend Article 381 and Article 382, of Chapter 6, Title 8, of the Penal Code of the State of Texas, relating to 'nepotism,' so as to provide that the Act shall apply to the Legislature and to the members thereof, and inserting in Article 381, 'or members of the Legislature' and 'the Legislature,' and in Article 382 the words, 'members of the Legislature.'"

House Bill No. 610, A bill to be entitled "An Act to authorize and permit the territory situated within the bounds of the town of Claude, in the County of Armstrong, and State of Texas, to incorporate as an independent school district for free school purposes only, and declaring an emergency."

House Bill No. 637, A bill to be entitled "An Act to create a special road law for Johnson County, and declaring an emergency."

House Bill No. 631, A bill to be entitled "An Act to amend Article 318, Chapter 1, Title 12, Revised Civil Statutes of Texas, 1911, providing for granting of license for the practice of law to lawyers immigrating to the State of Texas from any other State in the United States, and declaring an emergency."

House Bill No. 569, A bill to be entitled "An Act to amend Sections 12 and 15 of H. B. No. 543, Chapter 68, as enacted at the Regular Session of the Thirty-third Legislature of the State of Texas, providing certain compensation for the county commissioners of Freestone County."

House Bill No. 613, A bill to be entitled "An Act enlarging the concurrent jurisdiction of the Criminal District Court No. 2 of Dallas County, Texas."

House Bill No. 663, Creating Shepherd Independent School District in San Jacinto County.

House Bill No. 589, A bill to be en-

titled "An Act to increase the limits of Lillian Independent School District, in Johnson County, Texas."

House Bill No. 620, A bill to be entitled "An Act repealing by special law the Blanco Independent School District, in Blanco County, Texas, and declaring an emergency."

House Bill No. 571, A bill to be entitled "An Act to validate the sales of public free school lands which were purchased on condition of settlement and residence during the month of June, 1901, and providing that proof be filed in the General Land Office, and declaring an emergency."

House Bill No. 612, "A bill to be entitled "An Act creating the Big Rock County Line Independent School District, situated in Henderson and Van Zandt Counties, and defining its boundaries."

House Bill No. 526, A bill to be entitled "An Act amending Section 4, of Chapter 89, of the Special Laws of the Thirty-second Legislature of the State of Texas, entitled 'An Act to create a more efficient road system for El Paso County, Texas,' and declaring an emergency."

House Bill No. 639, A bill to be entitled "An Act to amend Section 28b of the special road law for Smith County," etc.

House Bill No. 196, A bill to be entitled "An Act to regulate the publishing, printing and circulation of campaign advertisements, bills and circulars, or literature of any character, by requiring every person, firm or corporation who shall print or publish a newspaper of any character in which are any advertisements concerning any candidate for nomination at any primary election or convention of any character," etc.

House Bill No. 385, A bill to be entitled "An Act to amend Article 7427, Revised Civil Statutes of the State of Texas, providing for a tax on every person, firm or association of persons selling spirituous, vinous and malt liquors or medicated bitters capable of producing intoxication in this State, not located in any county or subdivision of county, justice precinct, city or town where local option is enforced under the laws of the State of Texas; and on any person, firm or association of persons engaged in the business of wholesale druggists and selling alcohol, exclusively, to retail druggists in

any locality in the State of Texas, and declaring an emergency."

House Bill No. 654, A bill to be entitled "An Act to create a more efficient road system for Lavaca County, and making the county commissioners of said county road commissioners, prescribing their powers and duties as such, etc., and declaring an emergency."

House Bill No. 671, A bill to be entitled "An Act to create a more efficient road system for Young County, Texas, and making the county commissioners of said county ex officio road commissioners," etc.

House Bill No. 285, A bill to be entitled "An Act to amend Articles 3971, 3972 and 3973, of Chapter 1, Title 62, of the Revised Civil Statutes of Texas, 1911, relating to sales of merchandise in bulk so as to include the fixtures pertaining to the conduct of such business, and to make the purchaser or transferee who shall not conform to the provisions of the Act, upon the application of any creditor or seller or transferer, a receiver of said goods, wares and merchandise and fixtures that have thus come into his possession."

House Bill No. 565, A bill to be entitled "An Act to diminish the Civil and Criminal Jurisdiction of the County Court of Irion County, to conform the jurisdiction of the District Court thereto; and to repeal all laws in conflict therewith, and declaring an emergency."

House Bill No. 648, A bill to be entitled "An Act to amend Article 872 of Chapter 6, Title 13, of the Penal Code of the State of Texas, relative to fish ladders."

House Bill No. 584, A bill to be entitled "An Act to amend Article 7234 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide for an election for the adoption of the stock law in territory between two subdivisions of a county which have adopted a stock law," etc.

House Bill No. 680, A bill to be entitled "An Act to amend Section 36, Chapter 75, of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, relating to the Hill County road system, and declaring an emergency."

House Bill No. 476, A bill to be entitled "An Act to create the Seventy-

fifth Judicial District of the State of Texas and to reorganize the First and Ninth Judicial Districts of the State of Texas, and declaring an emergency."

House Bill No. 493, A bill to be entitled "An Act to amend Articles 2818 and 2819, Chapter 15, Title 48, of the Revised Civil Statutes of the State of Texas, 1911, by changing the date of holding elections for school trustees in common school districts, and providing compensation for the election board holding such elections, and declaring an emergency."

House Bill No. 559, A bill to be entitled "An Act to amend Article 339, Title 13, of the 1911 Revised Civil Statutes of Texas, so as to provide for the office of district attorney in the Twenty-ninth Judicial District."

House Bill No. 233, A bill to be entitled "An Act to amend Section 1, Chapter 28, of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, entitled 'An Act providing for the abolition of drainage districts,' and declaring an emergency."

House Bill No. 293, A bill to be entitled "An Act to amend Chapter 74, Acts of the Thirty-third Legislature, being an Act authorizing the qualified voters of any county or subdivision thereof to determine by an election whether or not pool halls or pool rooms shall be prohibited by a majority vote thereof, and providing a penalty for the violation of the provisions of said Act by adding thereto Section 14a, providing for the refund of the proportionate amount of the pool hall license tax which the owner would have been entitled to."

House Bill No. 300, A bill to be entitled "An Act to amend Article 1033, Chapter 14, Title 22, Revised Civil Statutes of the State of Texas, 1911, providing that towns or villages containing more than four hundred and less than ten thousand inhabitants may be incorporated as a town or village in the manner prescribed in said Chapter 14, and declaring an emergency."

House Bill No. 149, A bill to be entitled "An Act to amend Article 1606, Title 32, Chapter 5, Revised Civil Statutes of Texas of 1911, as amended by Act approved February 24, 1905, of the Twenty-ninth Legislature, Regular Session, relating to the employment

of stenographers by the Courts of Civil Appeals."

House Bill No. 19, A bill to be entitled "An Act to require that all notes and liens given for a patent right consideration or patent right territory shall state on their face the consideration for which they were given, providing that said statement shall be notice to all subsequent purchasers of all equities existing between the parties to the original transaction, providing penalty and declaring an emergency."

House Bill No. 273, A bill to be entitled "An Act to amend Chapter 11, General Laws of the State of Texas, passed by the Thirty-second Legislature at its First Called Session, which chapter is 'An Act to provide for the adoption of a system of uniform text books in this State and for the appointment of a text book board for such purposes.'"

House Bill No. 297, A bill to be entitled "An Act to amend Chapter 1, Title 125, of the Revised Statutes ('911), relating to the purchase of supplies for public institutions and the State Purchasing Agent by amending Articles 7325, 7327, 7333, 7335, 7336 and 7337, and providing for the repeal of Chapter 2 of this title and of all laws in conflict therewith."

House Bill No. 677, A bill to be entitled "An Act creating the McAllen Independent School District in Hidalgo County, Texas, and declaring an emergency."

House Bill No. 533, A bill to be entitled "An Act to make an appropriation to cover current expenses for Experiment Substation No. 6, located in Denton County, Texas, for the fiscal year ending August 31, 1915, and declaring an emergency."

House Bill No. 598, A bill to be entitled "An Act to create a more efficient road system for Hopkins County, Texas, and declaring an emergency."

House Bill No. 269, A bill to be entitled "An Act to amend Article 1539 of the Revised Civil Statutes, providing for the appointment by the Supreme Court of stenographers for that court, and fixing their salaries and making an appropriation therefor, and declaring an emergency."

House Bill No. 345, A bill to be entitled "An Act to amend Section 6, Chapter 160, of the Act approved April 18, 1913, relating to the forfeiture, re-

appointment and repurchase of public school land, making an appropriation, and declaring an emergency."

House Bill No. 657, A bill to be entitled "An Act to create a more efficient road law for Lamar County, and declaring an emergency."

House Bill No. 653, A bill to be entitled "A special law for the preservation of bass and other fish of the bass species, and of perch, sunfish and crappie, and other fish of the perch, sunfish and crappie species, in the following locality: In any water which is located in the valley of the Medina River from where the lower or diversion dam above the town of Castroville crosses the Medina River, in Medina County, Texas, to a point on the Medina River in Bandera County, Texas," etc.

House Bill No. 521, A bill to be entitled "An Act to amend Article 1460 of Chapter 2, Title 19, of the Revised Civil Statutes of the State of Texas of 1911, providing for the appointment of county auditors in counties containing a city of twenty thousand population."

House Bill No. 348, A bill to be entitled "An Act to exempt Tom Green, Sterling, Irion and Schleicher Counties from the operation of Section 90 of the Acts of the Thirty-third Legislature of Texas, approved April 9, 1913, General Laws, Thirty-third Legislature, pages 358 et seq., relating to irrigation, and declaring an emergency."

House Bill No. 566, A bill to be entitled "An Act to amend Chapter 172, Sections 15, 21, 58, 59, 69, 70, 83, 85 and 97, of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, and declaring an emergency."

House Bill No. 156, A bill to be entitled "An Act to amend Article 477 (340) of the Penal Code of the State of Texas, 1911, relating to the carrying of arms."

House Bill No. 652, A bill to be entitled "An Act to make appropriations to cover authorized deficiencies for the fiscal year ending August 31, 1910, and to cover authorized deficiencies for the fiscal year ending August 31, 1911, and to cover authorized deficiencies for the fiscal year ending August 31, 1913, and to cover authorized deficiencies for the fiscal year ending August 31, 1914, being amount of registered deficiency

warrants as shown by the records of the State Comptroller, and declaring an emergency."

H. B. No. 9, A bill to be entitled "An Act to establish a State Board of Forestry and to promote forest interest in the State."

House Bill No. 278, A bill to be entitled "An Act requiring section foremen and section hands of any railroad company in this State to take a description, giving marks, brands, color and apparent age of any animal killed or found dead upon the roadbed or right of way of such railroad company before burying or otherwise disposing of the carcass, and to transmit such written description to the county clerk of the county in which said animal is found or killed within ten days from the date of such finding or killing, and requiring the county clerk to file and keep a record of same, and providing a penalty."

House Bill No. 614, A bill to be entitled "An Act to create a common county line school district, to be known as Moline District, to be under the jurisdiction, management and control of the Commissioners Court of Lampasas County, Texas; to be composed of the territory described in this Act, and defining the rights, powers and privileges of such district, and declaring an emergency."

House Bill No. 608, A bill to be entitled "An Act to authorize the commissioners court of the several counties of Texas to create and establish levee improvement districts, with authority to construct and maintain levees," etc.

House Bill No. 666, A bill to be entitled "An Act conferring certain powers upon the commissioners court of Harrison County, and declaring an emergency."

House Bill No. 346, A bill to be entitled "An Act to provide for subdividing sections of public free school land situated in certain counties where such sections are of uniform quality and topography and water has been so developed, either by wells, ditches, canals or reservoirs, that the subdivisions shall not be permitted in cases where there would be a probable loss to the school fund by reason of such subdivision, and declaring an emergency."

House Bill No. 465, which is An

Act to amend Title 124, Chapter 6, Revised Civil Statutes, 1911, by adding thereto Articles 7248a and 7252a, making it the duty of any sheriff or constable to impound any live stock running at large in violation of law, prescribing fees for impounding, providing for manner of disposing of same, and by amending Articles 7250, 7252 and 7253 to conform to such new articles, so as to read as hereinafter set forth.

House Bill No. 595, A bill to be entitled "An Act to amend Sections 11, 13 and 14 of an Act creating a special road law for Gillespie County, Texas, passed at the Regular Session of the Thirtieth Legislature, and known as Chapter 77, Special Laws of 1907, and declaring an emergency."

House Bill No. 235, A bill to be entitled An Act to amend Chapter 135, Title 135, of the Revised Civil Statutes of Texas, 1911, relating to wills.

House Bill No. 575, A bill to be entitled "An Act to amend Section 67, Article 1121, Title 25, Chapter 2, Revised Civil Statutes of Texas, 1911, providing for the construction and maintaining and operating of warehouses in the State of Texas, and declaring an emergency."

House Bill No. 85, A bill to be entitled "An Act to promote and preserve the credit of the agricultural classes and to provide means to carry into effect said act and to make an appropriation therefor."

House Joint Resolution No. 9, "Proposing an amendment to the Constitution authorizing the Legislature to provide a law for the creation of a fund to be known as the students' fund in connection with the public schools in each county."

House Joint Resolution No. 30, A joint resolution proposing an amendment to Section 3, Article 7, of the Constitution of the State of Texas, authorizing the levy and collection of an ad valorem county tax not to exceed fifty cents on the one hundred dollars valuation of property for the maintenance of the public schools of the county.

House Joint Resolution No. 34, Proposing an amendment to Article 7, Sections 10, 11, 12, 13, 14 and 15, of the Constitution of the State of Texas, providing for the establish-

ment and maintenance of the University of Texas and the Agricultural and Mechanical College as separate institutions and for an equitable division of the State permanent endowment fund of the University of Texas and the Agricultural and Mechanical College of Texas, and making an appropriation to defray the expenses of advertising and submitting same to a vote of the people.

House Concurrent Resolution No. 21.

Sine Die Adjournment.

The Chair, Lieutenant Governor Hobby, here announced that the hour fixed by concurrent action of the two houses for final adjournment of the Regular Session of the Thirty-fourth Legislature had arrived, and declared the Senate adjourned without day.

APPENDIX.

Enrolling Committee Reports.

Committee Room,

Austin, Texas, March 19, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 357, and finds it correctly enrolled, and has this day at 5:25 o'clock p. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 426, and finds it correctly enrolled, and has this day at 10:10 o'clock, a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and

compared Senate Bill No. 289, and finds it correctly enrolled, and has this day at 11:20 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 350, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 350.

An Act to grant incorporated cities and towns owning their own water works, the right to condemn private property in or outside of the city or town limits, for the purpose of acquiring right-of-way for digging or excavating canals and for laying water mains into the city or town for the purpose of conducting water from any stream into the city or town for public use, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That incorporated cities and towns owning their own waterworks systems shall have the right to condemn private property for public use in and outside of the city or town limits of such cities and towns, for the purpose of acquiring rights-of-way for digging or excavating canals, laying mains, pipe lines, for the purpose of conducting water through the same into the cities or towns for the use of the public.

Sec. 2. Said cities or town shall pay just compensation to the owners of such property upon the award being made.

Sec. 3. The procedure to condemn property under this law shall be as is now provided by law in the case of condemning property by railroads of this State, and all laws on such subject shall be applicable hereto.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 344, and finds it correctly enrolled, and has this day at 10:10 o'clock, a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 344.

An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section No. 76, providing for the creation of corporations for the design, purchase and sale of steel and iron and other metal products, and the manufacture of any or all of such products, and for the design, sale, construction and erection of engineering and architectural structures and contracting for the construction and erection of such structures.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas be amended by adding thereto Section 76, to read as follows:

Sec. 76. A private corporation may be formed and chartered for the design, purchase and sale of steel and iron and other metal products, and the manufacture of any or all of such products, and for the design, sale, construction and erection of engineering and architectural structures, and for contracting for the construction and erection of such structures.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 203, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. pre-

sented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 203.

An Act regulating private employment agencies, and providing for a license for the operation thereof, charging a fee therefor; providing forms of receipts and registers to be used and kept; prohibiting any charge for registering or filing application for help or employment; limiting the amount of fee charged for procuring employment or help; prohibiting dividing of fees; providing for refunding of fees and expense incurred in the event of failure to procure employment; granting the commissioner of labor statistics power to prescribe rules and regulations to carry out the purpose and intent of this Act; creating a special fund for the payment of expenses incurred in the administration of the Act; providing for the payment of fines for violation of the Act to the commissioner of labor statistics; requiring the labor commissioner to furnish such employment agencies with record books and blank receipts and reports; providing penalties for violations thereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. No person, firm or corporation in this State shall open, operate or maintain a private employment agency for hire, or where a fee is charged to either applicant for employment or for help, without first obtaining a license for the same from the Commissioner of Labor Statistics, and such license fee shall be twenty-five (\$25.00) dollars. Such license shall be of force for one year, but may be renewed from year to year upon the payment of a fee of twenty-five (\$25.00) dollars for each renewal. Every license shall contain a designation of the city, street and number of the building in which the licensed party conducts said employment agencies. The license, together with a copy of this Act, shall be posted in a conspicuous place in each and every employment agency. The Commissioner of Labor Statistics shall require with each ap-

plication for a license a good and sufficient bond in the penal sum of five hundred (\$500.00) dollars, to be approved by said commissioner, and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions or requirements of this Act. The said Commissioner of Labor Statistics is authorized to cause an action to be brought on said bond in name of the State for any violation of any of its conditions, and may revoke, upon a full hearing, any license whenever, in his judgment, the party licensed shall have violated any of the provisions of this Act.

Sec. 2. It shall be the duty of every licensed agency to keep a register in a substantial book, in the form prescribed by the Commissioner of Labor Statistics, in which shall be entered the age, sex, nativity, trade or occupation, name and address of every applicant. Such licensed agency shall also enter in a register the name and address of every person who shall make application for help or servants, and the name and nature of the employment for which such help shall be wanted. Such register shall, at all reasonable hours, be open to the inspection and examination of the Commissioner of Labor Statistics or his deputies or inspectors. Where a registration fee is charged for filing or receiving application for employment or help, said fee shall in no case exceed the sum of two (\$2.00) dollars, for which a receipt shall be given in which shall be stated the name of the applicant, the amount of the fee, the date, the name or character of the work or the situation to be secured. In case the said applicant shall not obtain a situation or employment through such licensed agency within one month after registration as aforesaid, then said licensed agency shall forthwith repay and return to such applicant, upon demand being made therefor, the full amount of the fee paid or delivered by said applicant to said licensed agency; provided, that such demand be made within thirty (30) days after the expiration of the period aforesaid.

Sec. 3. No agency shall send or cause to be sent any female help or servants to any place of bad repute, house of ill-fame or assignation

house, or any house or place kept for immoral purposes. No such licensed agency shall publish or cause to be published any false information or to make any false promise concerning or relating to work or employment to any one who shall register for employment, and no such licensed agency shall make any false entries in the register to be kept as herein provided, and all entries in such registers shall be made in ink. Any licensed person or agency shall not by himself or itself, agent or otherwise, induce or attempt to induce any employe to leave his employment with a view to obtaining other employment through such agency.

Sec. 4. It shall be the duty of the Commissioner of Labor Statistics to enforce this Act, and, when informed of any violation thereof, it shall be his duty to institute criminal proceedings for enforcement of its penalties before any court of competent jurisdiction. He may make such rules and regulations for the enforcement of this Act not inconsistent therewith, as he may deem proper. Any person convicted of a violation of any of the provisions of Sections, 1, 2 and 3 shall be guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction shall be fined not less than fifty (\$50.00) dollars nor more than two hundred (\$200.00) dollars for each offense; provided, that any person or persons who shall send any female help or servants to any place of bad repute, house of ill-fame or assignation house or any house or place kept for immoral purposes, shall be deemed guilty of a felony, and upon conviction in any court of competent jurisdiction shall be punished by a fine of not less than one thousand (\$1,000.00) dollars nor more than five thousand (\$5,000.00) dollars, or by imprisonment in the penitentiary not less than two (2) years nor more than ten (10) years, or by both such fine and imprisonment.

Sec. 5. A private agency for hire is defined and interpreted to mean any person, firm or corporation engaging in the occupation of furnishing employment or help or giving information as to where employment or help may be secured or displaying any employment sign or bulletin, or through the medium of

any card, circular or pamphlet offering to secure employment or help; provided, that charitable organizations not charging a fee shall not be included in said term.

Sec. 6. The Commissioner of Labor Statistics shall at the end of each month make an itemized account of all moneys received by him from fees and fines, under the provisions of this Act, and pay the same into the State Treasury, to be held in a separate fund known as the employment agency fund, to be used for expenses incurred in inspecting, regulating and printing blanks and books to be furnished such employment agencies by the Commissioner of Labor Statistics. The unexpended moneys remaining in the State Treasury at the end of the fiscal year shall be transferred into the school fund.

Sec. 7. All fines assessed by the courts for violation of Sections 1 and 2 of this Act shall be paid by said court to the Commissioner of Labor Statistics or his duly authorized agents.

Sec. 8. The Commissioner of Labor Statistics shall furnish to each licensed employment agency blank books upon which their record shall be kept as provided for in this Act, and all necessary blanks upon which together with forms for receipts, etc., reports shall be made to the Commissioner of Labor Statistics.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 394, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 394.

An Act to amend Articles 7608, 7610 and 7618 of the Revised Civil Statutes of the State of Texas of 1911, relating to taxation, providing for a maximum bond of tax collectors, and fixing the time for filing by tax collectors of their reports, and repealing all laws and

parts of laws in conflict therewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 7608, 7610 and 7618 of the Revised Civil Statutes of 1911 be so amended as to hereafter read as follows:

Article 7608 (5157). Bond and Oath.—Every collector of taxes, within twenty days after he shall have received notice of his election or appointment, and before entering upon the duties of his office, shall give a bond based upon unincumbered real estate of the sureties, subject to execution, payable to the Governor and his successors in office, in a sum which shall be equal to sixty per cent of the whole amount of the State tax of the county as shown by the last preceding assessment, providing said bond shall not exceed one hundred and twenty-five thousand (\$125,000.00) dollars, with at least three good and sufficient sureties, to be approved by the commissioners court of his county, which shall be further subject to the approval of the Comptroller, and shall take and subscribe the oath prescribed by the Constitution, which, together with said bonds, shall be recorded in the office of the clerk of the county court of said county, and be forwarded by the county judge of the county to the Comptroller, to be deposited in his office. Said bond shall be conditioned for the faithful performance of the duties of his office as collector of taxes for and during the full term for which he was elected or appointed, and shall not become void upon first recovery, but suit may be maintained thereon until the whole amount thereof be recovered.

Article 7610 (5159). Bond for County Taxes.—Collectors of taxes shall give a like bond, with like conditions, to the county judges of their respective counties and their successors in office in a sum not less than sixty per cent of the whole amount of the county tax, as shown by the last preceding assessment, providing said whole amount shall not exceed one hundred and twenty-five thousand (\$125,000.00) dollars, with at least three good and sufficient sureties, to be approved by the commissioners court of his county, which

bond shall be recorded and deposited in the office of the clerk of the county court. A new bond and additional security may be required, and, for a failure to give such new bond or additional security, the collector of taxes may be removed from office in the manner prescribed by law.

Article 7618 (5167). Quarter-ly Reports; Requisites of; Duties of Collector:

1. At the end of each month the collector of taxes shall, on forms to be furnished by the Comptroller of Public Accounts, make an itemized report under oath to the Comptroller, showing each and every item of ad valorem, poll and occupation taxes collected by him during said month, accompanied by a summarized statement showing full disposition of all State taxes collected. Provided, however, that said itemized reports for the months of December and January of each year may not be made for twenty-five (25) days after the end of such months if same can not be completed by the end of such respective months.

2. He shall present such report, together with the tax receipt stubs, to the county clerk, who shall, within two days, compare said report with said stubs; and if same agree in every particular as regards names, dates and amounts, he (the clerk) shall certify to its correctness, for which examination he shall be paid by the commissioners court twenty-five cents for each certificate, and twenty-five cents for each two hundred taxpayers on said report.

3. The collector of taxes shall immediately forward his reports so certified to the Comptroller, and shall pay over to the State Treasurer all moneys collected by him for the State during said month, excepting such amounts as he is allowed by law to pay in his county, reserving only his commissions on the total amount collected; and to enable him to do so he may, at his own risk, send the same to the State Treasurer at the least cost to the State, on which he shall be allowed credit by the Comptroller upon filing receipts showing actual amount of exchange paid; provided, that the State Treasurer shall accept no payment other than money orders, or direct cash payments, which may be made through express

companies, banks or any other source. The State Treasurer, whenever he may receive a remittance from a collector of taxes, shall promptly pay the money so remitted to the State Treasury, on the deposit warrant of the Comptroller, and the money when so deposited shall be a credit to the said collector of taxes.

4. The collector of taxes shall pay over to the State Treasurer all balances in his hands belonging to the State, and finally adjust and settle his account with the Comptroller on or before the first day of May of each year; and to enable him to do so the commissioners court shall convene on or before the third Monday in April for the purpose of examining and approving his final settlement papers.

5. The allowance of a delinquent and insolvent list to the collector, in accordance with Article 7621, shall not absolve any taxpayer or property thereon from the payment of taxes; but it shall be the duty of the collector to use all necessary diligence to collect the amounts due thereon, after it is allowed by the commissioners court; and he shall issue special tax receipts therefor, to be furnished by the Comptroller, who shall account for same at his next annual settlement, in the same manner as occupation tax receipts; he shall also make itemized monthly reports of such collections, using special blanks for that purpose.

6. To enforce the prompt and speedy collection and remittance of taxes, and to provide for the proper accounting of same, the Comptroller shall prescribe and furnish the forms to be used by collectors of taxes, and the mode and manner of keeping and stating their accounts, and shall adopt such regulations as he may deem necessary in regard thereto. It shall be his imperative duty to enforce a strict observance of all the provisions of these articles.

7. It shall be the duty of the Comptroller to notify the district attorney of the district or the county attorney of the county in which the collector resides, and the sureties on the bond of the collector of any failure to comply with any of the provisions of this article.

Sec. 2. All laws and parts of

laws in conflict herewith are hereby repealed.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 184, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The bill in full follows:

S. B. No. 184.

An Act to amend Article 2774, Chapter 13, Title 48, Revised Civil Statutes of the State of Texas, 1911, entitled "Manner of Taking Census;" requiring superintendent of public instruction to appoint a census trustee of the school district; requiring census trustees to take census; enumerating all children within the district not under seven nor over eighteen years of age on the first day of the following September, to make returns; prescribing duties of census trustee; imposing certain duties and obligations on the census trustee, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2774, Chapter 13, Title 48, of the Revised Civil Statutes of the State of Texas, 1911, be so amended as to hereafter read as follows:

Article 2774. Manner of Taking Census.—The county superintendent of public instruction and the board of trustees of the independent school districts, shall, on the first day of January of each year, or as soon as practicable thereafter, appoint one of the trustees of each school district, or some other qualified person, to take the scholastic census, who shall be known as the census trustee of the district. "It shall be the duty of the census trustee to take, between the first day of March and the first day of April, after his appointment, a census of all the children that will be over seven and under eighteen years of age on the first day of the follow-

ing September," and who are residents of the school district on said first day of April, and to make report under oath to the county superintendent on or before the first day of June next thereafter. In taking the said census he shall visit each home, residence, habitation and place of abode, and shall, by actual observation and interrogation, enumerate the children thereof in the following manner: He shall use for each parent, guardian or person having control of any such children a prescribed form showing the name, color and nationality of the person rendering such children, the name and number of the school district in which the children reside, and the name, sex and date of birth of each child of which he is a parent or guardian, or of which he has control, and which child will be over seven and under eighteen years of age on the first day of September next following. The census trustee shall require such form to be subscribed and sworn to by the person rendering the children, and he is hereby authorized to administer oaths for this purpose. When the census trustee visits any home or house or place of abode of a family and fails to find either the parent or any person having legal control, it shall be the duty of the census trustee to leave the prescribed census blank for the use of parents at such home or place of abode, with a note to the parent or guardian having legal control of child or children, requiring that the form be filled out, sworn and subscribed to before the census trustee, or any officer authorized to administer oaths, and that the blank, when so filled out, shall be delivered by the parent or person having legal control of the child or children to the census trustee.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 245, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 245.

An Act appropriating out of the unexpended funds realized from the sale of products and from labor of the State Juvenile Training School the sum of fifteen thousand dollars, or as much thereof as may be necessary, for the purpose of remodeling, repairing and equipping the building at that institution formerly used as a dormitory for negroes, so that the same may be used for other dormitory and housing purposes, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of fifteen thousand dollars, or as much thereof as may be necessary, is hereby appropriated out of the unexpended funds realized from the sale of products and from the labor of the State Juvenile Training School for the purpose of remodeling, repairing and equipping the building of that institution formerly used as a dormitory for negroes, so that the same may be used for dormitory and housing purposes.

Emergency clause.

Committee Room,

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 264, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 264.

An Act to amend Article 889 of the Revised Criminal Statutes of 1911 by adding thereto Article 889a, prohibiting the use of any deer call, whistle, decoy, horn, call, pipe, reed or other device, mechanical or natural, used for calling or attracting the attention of deer, and fixing a penalty for the violation of this Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there shall be added to Article 889 of the Revised Criminal Statutes of the State of Texas of 1911 an article to be known as Article 889a, which shall read as follows:

Article 889a. It shall be unlawful for any person at any time of the year within this State to use a deer call, whistle, decoy, horn, call, pipe, reed or other device, mechanical or natural, for the purpose of calling or attracting the attention of any deer, and any person hunting deer by such means, or attempting to use such means in hunting deer shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment of not less than twenty days or more than ninety days, or both by said fine and imprisonment, and each and every such unlawful act shall constitute a separate offense.

Emergency clause.

Committee Room,

Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 332, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 332.

An Act to amend Section 1 of Chapter 100 of the Acts of the Regular Session of the Thirty-third Legislature so as to leave out the words, "shall steal or," in said Section 1, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of Chapter 100 of the Acts of the Regular Session of the Thirty-third Legislature be and the same is hereby amended so that the same shall hereafter read as follows:

Section 1. Whoever purposely takes, drives or operates, or purpose-

ly causes to be taken, driven or operated upon the public road, highway or other public place any motor, vehicle, buggy, carriage or other horse-driven vehicle, without the consent of the owner thereof, shall, if the value of such motor vehicle, bicycle or other vehicle is thirty-five (\$35.00) dollars or more, be imprisoned in the county jail for not less than six months nor more than one year, or if the value is less than that sum, be fined not more than two hundred (\$200.00) dollars or imprisoned not more than thirty days, or both.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 148, and finds it correctly enrolled, and has this day at 10:10 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 148.

An Act to authorize any individual, association or corporation, now or hereafter organized under the laws of this State, including any municipal corporation of this State, engaged in manufacturing, producing or selling electricity, natural or artificial gas, steam, or water, or owning or operating any street railway system, within any incorporated city, town or village within this State, where the rates charged for such service are subject to regulation under authority of the laws of this State, to lease, sell or otherwise dispose of its entire plant or business, or any part thereof, to any other individual, association or corporation doing or having authority to do a like business in said incorporated city, town or village, upon consent of the majority of the qualified voters of said city, town or village voting at an election held for that purpose being first obtained, and declaring an emergency therefor.

Be it enacted by the Legislature of the State of Texas:

Section 1. Any individual, association, or corporation now or hereafter organized under the laws of this State, including any municipal corporation of this State engaged in manufacturing, producing, supplying or selling telectricity, natural or artificial gas, steam or water or owning or operating any street railway system within any incorporated city, town or village within this State, where the rates charged for such service are subject to regulation under the authority of the laws of this State, may, by a majority vote of the qualified voters at an election held for that purpose of said city, town or village, first obtained, lease, sell or otherwise dispose of its entire plant or business or any part thereof, to any other individual, association or corporation which, at the time of said sale, lease or other disposition of said plant or business or any part thereof, is doing or has authority to do, a like business in said incorporated city, town or village; provided, however, that nothing herein contained shall be construed to permit any corporation to engage in any kind of business not authorized by its charter.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 300, and finds it correctly enrolled, and has this day at 11:20 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 300.

An Act to amend Chapter 6, Title 13, of the Penal Code of 1911, by inserting after Article 889 two new articles to be known as Article 889a and Article 889b, fixing the closed season for killing doves, bob whites, quail or partridges in this State, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Article 889a. From and after the passage of this Act it shall be lawful to kill doves in this State at any time except between the first of March and the first of September of each year.

Article 889b. From and after the passage of this Act it shall be lawful to kill bob whites, quail, or partridges in this State at any time except between the first day of February and the first day of December of each year, provided it shall be unlawful except elsewhere provided for any person in any one day to kill or destroy more than fifteen of the birds or fowls mentioned in Article 878 that are permitted to be taken or killed in any one day, and repealing all laws in conflict herewith.

Emergency clause.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Joint Resolution No. 18, and finds it correctly enrolled, and has this day at 11:20 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the joint resolution in full:

S. J. R. No. 18.

A Joint Resolution proposing and submitting to a vote of the people of Texas an amendment to Section 52 of Article 3 of the Constitution, authorizing the issuance of bonds for public improvements, and levying of a tax to pay the interest and sinking fund on same, and for maintenance.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Section 52, of Article 3, of the Constitution of the State of Texas be amended so as hereafter to read as follows, to wit:

Sec. 52. The Legislature shall have no power to authorize any county, city, town or other political corporation or subdivision of the State to lend its credit or to grant public money or thing of value in aid of,

or to, any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company; provided, however, that under legislative provision any county, any political subdivision of a county, or any defined district now or hereafter to be described and defined within the State of Texas, and which may or may not include towns, villages, or municipal corporations, upon a vote of two-thirds majority of the resident property taxpayers voting thereon who are qualified electors of such district or territory to be affected thereby, in addition to all other debts may issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such district or territory; except that the total bonded indebtedness of any city or town shall never exceed the limits imposed by other provisions of this Constitution; and levy and collect such taxes to pay the interest thereon and provide a sinking fund for the redemption thereof as the Legislature may authorize, and in such manner as it may authorize the same, for the following purposes, to wit:

(a) The improvement of rivers, creeks and streams to prevent overflows, and to permit of navigation thereof, or irrigation therefrom, or in aid of such purposes.

(b) The construction and maintenance of pools, lakes, reservoirs, dams, canals and waterways for the purposes of irrigation, drainage or navigation, or in aid thereof.

(c) The construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof.

Provided, however, that under legislative enactment any defined district now or hereafter to be described and defined within the State of Texas, which may be formed for the purpose of reclaiming and improving overflowed and swamp lands in this State, and maintaining the improvements thereof, may, upon a vote of two-thirds majority of the resident property tax payers voting thereon who are qualified electors of such district or territory, in addition to all other debts, issue bonds or otherwise lend its credit in any amount not to exceed fifty per cent of the

assessed valuation of the real property in such district or territory.

Provided, further, that where a county, district or other political subdivision has issued bonds for improvements named in this Section, the Legislature may authorize the levy and collection of taxes for the maintenance of such improvements, not to exceed fifty cents on the hundred dollars valuation in any one year.

Sec. 2. The foregoing amendment of Section 52 of Article 3, of the Constitution of Texas, shall be submitted to the qualified electors of this State for its adoption or rejection, at a special election hereby ordered for the Fourth Saturday in July, A. D. 1915, the same being the 24th day of said month. All voters on this proposed amendment at said election who favor its adoption shall have printed or written on their ballots the following: "For amendment of Section 52 of Article 3, of the Constitution, authorizing the issuance of bonds for levee, drainage, road and other public improvements, and for taxes therefor." Those voting against its adoption shall have printed or written on their ballots the following: "Against the amendment of Section 52 of Article 3 of the Constitution, authorizing the issuance of bonds for levee, drainage, road and other public improvements, and for taxes therefor."

Previous to the election the Secretary of State shall cause to be printed and forwarded to the county judge of each county, for use in said election, a sufficient number of ballots for the use of the voters in each county, on which he shall have printed the form of ballot herein prescribed for the convenient use of voters.

Sec. 3. The Governor of the State is hereby directed to issue his necessary proclamation ordering this election, and have the same published as required by the Constitution and laws of this State. The sum of five thousand (\$5,000.00) dollars, or so much thereof as may be necessary is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, to defray the expenses of publishing said proclamation and printing and distributing the necessary tickets and blanks for use in said election.

Committee Room,
Austin, Texas, March 20, 1915.

Hon. W. P. Hobby, President of the Senate.

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 222, and finds it correctly enrolled, and has this day at 11:20 o'clock a. m. presented same to the Governor for his approval.

DARWIN, Acting Chairman.

The following is the bill in full:

S. B. No. 222.

An Act creating a State Board of Public Accountancy, and defining the qualifications of the members thereof; providing for the appointment of said board, and fixing its powers and duties; providing for the examination of applicants for certificates as certified public accountants, and the issuance, refusal and revocation of such certificates; providing for the preservation and authentication of the record of said board; prohibiting any one from representing himself as a certified public accountant unless so certified by said board, and providing a penalty therefor; making it a misdemeanor for any person practicing within the State of Texas as certified public accountant, wilfully to falsify any report or statement bearing upon any examination, investigation or report made by him or under his direction as such accountant, and fixing a penalty therefor, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created a board to be known as the State Board of Public Accountancy, to be composed of five members who shall be public accountants of good moral character and qualified citizens of the State of Texas, each of whom shall have had at least three years practical experience as a public accountant on his own account immediately preceding his appointment, during the last three years of which he shall have been so engaged in the State of Texas; the members of said board to be selected and appointed as herein-after provided.

Sec. 2. Within thirty days after

this Act shall go into effect, the Governor of the State of Texas shall appoint five persons qualified as provided in Section 1 of this Act, who shall constitute the State Board of Public Accountancy.

The members of the first State Board of Public Accountancy provided for herein shall be appointed for and shall serve for the term ending on the third Tuesday of January, 1917, or until their successors are appointed and qualified. On and after the third Tuesday in January, 1917, and regularly every two years thereafter, the Governor of the State of Texas shall appoint five members as successors on said Board, and each and every member who may be appointed to succeed any member of the first State Board of Public Accountancy shall be a certified public accountant, holding a certificate as such under the provisions of this Act, and resident of Texas for at least three years preceding said appointment.

Five members of the first State Board of Public Accountancy provided for herein shall confer upon themselves the title "Certified Public Accountant," provided that each member of said Board shall have filed an application for such certificate with four remaining members of said Board, and provided further that said applicant shall meet the requirements as provided in Section 8. All vacancies in said Board caused by death, resignation, removal from the State, or otherwise, shall be filled by appointment of the Governor, and each special appointment shall be from the roster of certified public accountants created under this Act, and said appointee shall continue only until the expiration of the regular term for which the predecessor of such appointee would have held office. The revocation of the certificate of any member of this board shall terminate his membership thereon, and the Governor shall fill the vacancy so caused as herein above provided.

Sec. 3. The members of said board shall within thirty days after their appointment, qualify by taking the oath of office before a notary public, or other officer empowered to administer oaths in the county in which each shall reside, and shall file same

with the Secretary of State, and receive their certificate of appointment as members of the "State Board of Public Accountancy." At the first meeting after each biennial appointment the board shall elect from among its members a chairman and secretary-treasurer; the board may prescribe rules, regulations and by-laws in harmony with the laws of the State of Texas for its own proceedings and government, and for the examination of applicants for certificates as certified public accountants, which rule shall provide that when a division on any motion occurs at least three affirmative votes shall be necessary to the final adoption thereof. It is further provided that three members of said board shall constitute a quorum for the transaction of the business of the board.

All rules, regulations and by-laws adopted by the said board shall be filed with the office of the Secretary of State. Said board, or any member thereof, shall have the power to administer oaths for all purposes required in the discharge of its duties, and said board shall adopt a seal to be affixed to all of its official documents.

Sec. 4. The board shall meet within sixty days after its appointment and at least once in each year for the purpose of examining applicants for certificates as provided herein, and may meet as many times during the year as may be in its discretion advisable. Notice of all meetings shall be given at least thirty days prior to the dates selected for same by publication three consecutive times in three daily newspapers published in the three most populous cities in the State; such notice giving the time and place of meeting and stating the purpose to be for the examination of applicants for certificates as certified public accountants, provided that the board may hold any number of meetings and at any time without giving notice by publication of such meetings, if a meeting be called for any other purpose than the examination of applicants for certificates. It is further provided that any applicant who has successfully passed an examination before said board upon three of the subjects required may have a re-examination upon the unsuccessful subject under the super-

vision of said board. Examinations by the board shall be on the following subjects: "Theory of Accounts," "Practical Accounting," "Auditing" and "Commercial Law as Affecting Accountancy," and each applicant shall be required to make a general average of at least seventy-five per cent on all subjects, and to each person passing such examination, if he has otherwise qualified, shall be issued by the State Board of Public Accountancy, a certificate as a "certified public accountant of the State of Texas," and the State Board of Public Accountancy shall have the power to revoke or recall any certificate issued under this Act as hereinafter provided.

Sec. 5. The State Board of Public Accountancy shall preserve a record of its proceedings in a book kept for that purpose, showing the name, age and duration of residence of each applicant, the time spent by the applicant in practice as a public accountant, or in employment in the office of the public accountant, and the year and school, if any, from which degrees were granted on in which the course of study was successfully completed by the applicant as required by law; said register will show also whether applicants were rejected or licensed, and shall be prima facie evidence of all matters contained therein. The secretary of the board shall, on December 31st of each year, transmit an official copy of said register to the Secretary of State for permanent record, certified copy of which, under the hand and seal of the secretary of the board or Secretary of State, shall be admitted in evidence in any court or proceeding.

Sec. 6. No persons shall be permitted to take an examination unless he be twenty-one years of age, of good moral character, a qualified citizen of the United States; and unless he shall have had one year's study and practice in accountancy or accounting work.

Sec. 7. The board may, in its discretion, waive the examination and issue a certificate to any person who has received and holds a valid and unrevoked certificate as a certified public accountant issued by or under the authority of any State or Territory of the United States, the District

of Columbia, or who holds the equivalent of such certificate by and under the expressed legal authority of any foreign nation; providing, however, that such certificate or degree shall, in the opinion of the board, have been issued under a standard fully equivalent to that of the requirements of said board and issued by such State or Territory as may extend the same privilege to certified public accountants holding certificates from this State; provided, further, that such applicant shall have qualified as provided in Section 6.

Sec. 8. The State Board of Public Accountancy shall, upon written application therefor, waive examination of any applicant, provided said applicant shall be qualified as provided by Section 6 hereof, and shall have been practicing on his own account as a public accountant, or on the behalf of another public accountant, as a senior public accountant for not less than three years, two years of which practice shall have been within the State of Texas immediately preceding said application; provided further, that such application is filed prior to June 1st, 1916.

Sec. 9. Each applicant for a certificate as certified public accountant shall, at the time of making application, pay to the treasurer of said board a fee of twenty-five dollars, and no application shall be considered by said board until said fee of twenty-five dollars shall have been paid. In case of failure on the part of any applicant to pass a satisfactory examination, said applicant shall have the privilege of appearing at any subsequent examination conducted by said board for re-examination, upon the payment of an additional fee of ten dollars.

The holder of each certificate issued hereunder shall pay an annual fee of \$1.00 into the treasury of the State Board of Public Accountancy. The failure on the part of the holder of any certificate issued under this Act to pay this fee shall automatically cancel the privilege of using the title "certified public accountant," but reinstatement may be had at any time within two years, or before the expiration of sixty days after the two years shall have elapsed by the payment of the fee and application in such form as may be pro-

vided by the board and the payment further of a penalty of \$2.50 for each year elapsed.

Sec. 10. Each member of said board shall receive from the secretary-treasurer of the board out of the funds in the hands of the board, if there be sufficient thereof, all of his necessary railroad and hotel expenses for attending the meeting of said board; but otherwise shall serve without compensation. The secretary-treasurer shall be required to keep an account of all money received and disbursed, and shall render an annual statement to the Governor of the State, showing receipts and disbursements and the balance on hand; the balance shall remain in the treasury of the board, and all expenses in connection with the maintenance of the board shall be paid from same, and no provisions of this Act shall be a charge upon the common funds of the State of Texas.

Sec. 11. The State Board of Public Accountancy shall revoke and recall any certificate issued under this Act if the holder thereof: (1) Shall be convicted of a felony; (2) shall be declared by any court to have committed any fraud; or (3) shall be declared by any court or commission to be insane or otherwise incompetent; or (4) shall be held by this board to be guilty of any act or default discreditable to the profession; provided, that written notice of the cause of such contemplated action and the date of the hearing thereof by this board shall have been served upon the holder of such certificate at least fifteen days prior to such hearing, or provided that such notice of such contemplated action and the date of the hearing thereof by this board shall have been mailed to the last known address of such holder of such certificate at least twenty days prior to such hearing; and at such hearing the Attorney General of this State, or any one of his assistants, or district attorney designated by him, may sit with the board as legal counsellor and advisor, and to prepare for any legal action that may be determined upon by the State Board of Public Accountancy.

Sec. 12. If any person represents himself to the public as having received a certificate as provided for in

this Act, or advertises as a "certified public accountant," or uses the initials "C. P. A." or otherwise falsely holds himself out as being qualified under this Act, while practicing in this State, without having actually received such certificate, or it has been recalled or revoked and he shall continue to use the initials "C. P. A." or shall refuse to surrender such certificate after revocation thereof, or shall otherwise violate any provisions of this Act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not to exceed \$200.00.

No audit company, incorporated or unincorporated, shall use the title "certified public accountants," or the initials "C. P. A.," and no firm or partnership shall use this title or these initials, unless each member of said firm or partnership is a legal holder of a certificate issued under the provisions of this Act, and any violation of these provisions shall be punished by a fine not to exceed the sum of \$200.00.

The use by any person, firm or corporation of the abbreviated title "certified accountant" or of the initials "C. A." shall be construed a violation of this Act, and shall subject such person, firm or corporation to a fine not to exceed the sum of \$200.00.

Sec. 13. If any person practicing in the State of Texas as a certified public accountant under this Act shall wilfully falsify any report or statement bearing upon any examination, investigation or report made by him or under his direction as such certified public accountant, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$100.00 nor more than \$1,000.00; provided further, that any person convicted under this section shall forfeit and surrender the certificate of certified public accountant held by him to the State Board of Public Accountancy.

Sec. 14. Nothing herein contained shall be construed to prevent any person from being employed as an accountant in this State in either public or private practice. The purpose of this law is to provide for the examination and the issuance of a certificate, or degree, granting the privilege of the use of the title "cer-

tified public accountant," and the use of the initials "C. P. A." as indicative of the holder's fitness to serve the public as a competent and properly qualified accountant in public practice and to prevent those who have no such certificate, or degree, from using such title or initials; provided, however, the use of the initials "C. P. A." or "C. A." to designate any business other than the practice of accountants or auditors is not prohibited by this Act.

Emergency clause.

Committee Room,
Austin, Texas, March 18, 1915.

Hon. W. P. Hobby, President of the Senate:

Sir: Your Committee on Enrolled Bills has carefully examined and compared Senate Bill No. 387, and finds it correctly enrolled, and has this day, at 11:25 o'clock, a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Following is the bill in full:

S. B. No. 387.

An Act amending Chapter 2, Title 105, Article 6273, of the Revised Civil Statutes of 1911, authorizing Confederate pensioners to make affidavit, or in lieu thereof statement in the presence of two creditable witnesses that are in no wise related to the applicant as to his or her right to collect pensions under the laws of this State, and authorizing said witnesses to make the affidavit, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 2, Title 105, Article 6273, of the Revised Civil Statutes of 1911, be amended to read hereafter as follows: The payment of such pensions shall begin on the first day of March and September of each year, payable at the end of each quarter and on and after the first of each quarter. The pensioner shall make his or her affidavit, or shall in cases of old age, infirmities, or physical disabilities, preventing him or her from appearing before some officer authorized to administer oaths, make statement in writing as to his or her claim or rights, in the presence of two creditable witnesses who are in no wise

related to the applicant, stating the county of his or her residence, post-office address, and that he or she is the identical person to whom a pension has been granted under this law, and that conditions which existed at the time of making his or her application and on which the pension was originally granted, still exist, which affidavit shall be supported by the affidavit of some other creditable person or persons to the same fact, and which affidavit may be made before any one authorized to administer oaths, which affidavit shall be filed with the Commissioner of Pensions for examination, and if approved by him the Comptroller of Public Accounts shall draw his warrant to the amount of such pension on the Treasurer, and upon presentation the Treasurer shall pay the same out of any money in the treasury which may be appropriated to this purpose.

Sec. 2. If the pensioner, on account of old age, infirmities or physical disability, shall make his or her statement in writing in the presence of two creditable witnesses, as provided in Section 1 of this Act, it shall be sufficient for one of such witnesses, in whose presence the statement was made, to make affidavit stating that said statement was made or signed in his or her presence and that the statements contained therein are within the knowledge of affiant, true and correct, and when such affidavit has been made by such person and approved by the Comptroller of Public Accounts, he shall draw his warrant for the amount of such pension in the same manner as if the oath had been made by the pensioner and payment of same shall be made by the Treasurer as provided in Section 1 of this Act.

Sec. 3. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 4. Emergency clause.

S. B. No. 274.

AN ACT

To amend Article 4804 of Chapter 5 of Title 71 of the Revised Civil Statutes of Texas of 1911, authorizing mutual assessment accident insurance companies to place admission fees of not exceeding \$3.00 each in the expense fund, and providing that such admission

fee may also apply as a credit on the initial premium; and adding Article 4808a, authorizing corporations existing or hereafter organized under this chapter to engage in the business, on the assessment plan, of insuring against disability resulting from sickness or disease, and to pay a funeral benefit of not exceeding \$100.00 on account of death of a member resulting from sickness or disease; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 4804 of Chapter 5 of Title 71 of the Revised Civil Statutes of Texas of 1911 be so amended as hereafter to read as follows:

Article 4804. Each certificate of membership, policy, or other contract of insurance issued by such company shall bear on its face in red letters the following words: "The payment of the benefit herein provided for is conditioned upon its being collected by this company from assessments and other sources as provided in its by-laws;" provided that nothing in this chapter shall be construed to prevent the creation of a reserve fund by any such organization, which fund, or its accretions, or both, are to be used only for the payment of losses or benefits, as provided in the by-laws of such corporation; provided further that such corporation may charge a membership or admission fee of not exceeding three dollars upon each policy issued, the proceeds of which may be placed in the expense fund, and that at least sixty per cent of all amounts realized from any other sources shall be used only for the payment of losses or benefits as they occur, or the balance thereof remaining after paying such losses or benefits transferred to such reserve fund; provided further that such membership fee may also apply as a payment or credit upon the initial assessment or premium, if the by-laws of the corporation so provide.

Sec. 2. That Article 4808a, reading, as follows, be added to Chapter 5, Title 71, of the Revised Civil Statutes of Texas of 1911:

Article 4808a. Any corporation now existing or hereafter organized under the provisions of this chapter for the purpose of transacting the business of a mutual assessment accident insurance company shall have,

and is hereby vested with the authority under its corporate powers, to engage in the business, on the assessment plan, as defined in this chapter, of insuring against disability resulting from sickness or disease, and pay to the beneficiaries of its deceased members a funeral benefit which shall not exceed the sum of one hundred (\$100.00) dollars in event of death of any member resulting from sickness or disease. Provided, however, that in enforcing compliance with the requirements of Article 4796, applications for insurance against disability or death resulting from sickness or disease shall not be taken into consideration.

Section 3. Emergency clause.

S. B. No. 27.

AN ACT

Amending Chapter 104 of the Acts of the Thirty-second Legislature, as amended by the Thirty-third Legislature, creating the office of Inspector of Masonry, Buildings and Works; providing for the inspection of plans and specifications for public buildings and structures and additions thereto, to be constructed for any county, city, municipality or other political subdivision of the State; providing for supervision and inspection of such buildings or structures by the appointment of assistant inspectors, fixing their salaries and providing for traveling expenses; setting aside one per cent of the amount of the contract price of all such buildings or structures to be constructed for such counties, cities, municipalities or other political subdivisions for the payment of the cost of such inspection and supervision, and requiring that said one per cent of such contract price be paid into the State Treasury to be used for said purpose, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 104 of the General Laws passed by the Thirty-second Legislature, at its Regular Session and amended by the Thirty-third Legislature, at its Regular Session, be and the same is hereby amended by adding after Section 2b three other sections, to be known as 2c, 2d, 2e and 2f, as follows, to wit:

"Section 2c. The State Inspector of Masonry, Public Buildings and Works is hereby authorized and it is made his duty to inspect all plans and specifications for public buildings and structures and additions thereto, that are to be constructed by contract or otherwise and for and by the counties, cities, municipalities and other political subdivisions of the State of Texas, prior to the time such plans and specifications are adopted, and he shall aid such commissioners court, city commission, board of aldermen, city manager, school board, committee, board, person or persons having in charge the preparation for the construction of any and all public buildings, structures and additions thereto that are to be constructed by contract or otherwise for such counties, cities, municipalities and other political subdivisions of the State of Texas, and he shall have full and final superintendence over all such buildings, structures or additions that may be constructed by contract or otherwise for such counties, cities, municipalities and other political subdivisions of the State of Texas, according to the terms of contract." Provided, that this Act shall not apply to any public buildings, structure or additions thereto, the contract price of which is less than twenty-five thousand dollars.

"Section 2d. The State Inspector of Masonry, Public Buildings and Works shall, when the work in his department requires it, appoint not more than three assistants, such assistants to be skilled and practical mechanics in the respective trades, which enter into the construction of such public buildings, structures and additions, and such assistants to have at least ten years' practical experience in their respective trade next prior to his appointment as assistant to the State Inspector of Masonry, Public Buildings and Works, and the salary of each of such assistants shall not exceed eighteen hundred (\$1,800.00) dollars per year, payable in equal monthly instalments, and their actual and necessary traveling expenses while in the performance of their duties under this Act; provided that said Inspector of Masonry shall not employ more assistants than the fees collected under the provisions of this Act shall be sufficient to pay; provided that in no event shall the num-

ber of assistants exceed three; such expenses to be paid on itemized accounts, signed and sworn to by such assistants, and approved by the State Inspector of Masonry, Public Buildings and Works; provided, however, that the State Inspector of Masonry, Public Buildings and Works shall discontinue the service of such assistant or assistants at any time his service is no longer needed.

Section 2e. There shall be set aside a sum equal to one (1) per cent of the contract price or estimated cost of each building, structure or addition thereto to be constructed for such county, city, municipal or other political subdivisions of the State of Texas, by the respective commissioners court, city commissioners, board of aldermen, city manager, committee, board, person or persons having such public building, structure or addition thereto, in charge, and said one (1) per cent of the contract price shall be forwarded immediately prior to the beginning of such work to the State Treasurer to be held intact for the purpose of defraying the salaries, traveling and other necessary expenses as may be incurred by the State Inspector of Masonry, Public Buildings and Works and his assistants in the performance of their duties as required by this Act, and the State Treasurer shall pay out said moneys upon warrants issued through the Comptroller of Public Accounts for the State of Texas as now in vogue for other departments of the State."

Section 2f. Emergency clause.

S. B. No. 375.

AN ACT

To amend Section 4, Chapter 31, of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-ninth Legislature, said Chapter 31 being at page 37, published volume of said General Laws, and in the Revised Civil Statutes, 1911 edition, page 39, Title 5, Article 30, Section 66; to prescribe the time for holding court in the Sixty-sixth Judicial District; prescribing the length of term of said court; to repeal all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 4 of Chapter 31 of the Acts of the Regular Session of the Twenty-ninth Legislature, which is in the Revised Civil Statutes, 1911 edition, page 39, Title 5, Article 30, Section 66, be amended so as to hereafter read as follows:

"The terms of the district court in the Sixty-sixth Judicial District of Texas, comprising the county of Hill, shall be holden in said county of Hill, as follows: Beginning on the first Mondays in January, March, May, July, September and November of each year. Each term of said court may continue in session for a period of seven weeks or until the business is disposed of save and except the term beginning annually on the first Monday in July may continue in session for the period of five weeks or until the disposal of the business.

Sec. 2. Emergency clause.

S. B. No. 349.

AN ACT

To amend Article 2393, Chapter 17, of the Revised Civil Statutes of 1911, providing for the perfecting of appeals from the justices court to county and district courts, and providing for the giving of appeals bonds.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 2393, Chapter 17, of the Acts of 1911, be so amended as to hereafter read as follows:

The party appealing, his agent or attorney, shall within ten days from the date of judgment file with the justice a bond, with two or more good and sufficient sureties, to be approved by the justice, in double the amount of the judgment payable to the appellee, conditioned that the appellant shall prosecute his appeal to effect and shall pay off and satisfy the judgment which may be rendered against him on appeal. When such bond has been filed with the justice, the appeal shall be held to be thereby perfected, and all parties to said suit or to any suit so appealed shall make their appearance at the next term of court to which

said case has been appealed, without further notice.

Sec. 2. Emergency clause.

S. B. No. 79.

AN ACT.

To amend Article 5623, Title 86, Chapter 2, of the Revised Civil Statutes of the State of Texas, providing that the furnishers of material and labor may secure a lien on any house, building, improvement or railroad, by giving written notice to the owner, railroad company or receiver of items of material and labor furnished, and filing such account in the office of the county clerk, and providing further that the owner, railroad company or receiver shall cause to be executed and filed written contract for such erection, repair or improvement and cause same to be filed with the county clerk, and also cause to be executed and filed with said county clerk, before work is begun, a good and sufficient bond by the contractor, and providing further when such bond and contract are executed and filed, the owner, railroad company or receiver shall pay no greater sum for labor performed or material furnished than the price stipulated in the original contract; and providing further that the execution of the bond shall not preclude any furnisher of material, mechanic, artisan or laborer from recovering or fixing a lien; and by adding Article 5623a, requiring the owner, railroad company or receiver to take from contractor a good and sufficient bond payable to the owner, railroad company or receiver, and providing further that the bond shall guarantee the payment of all claims, and authorizing suit to be brought on such bond, and providing further that no change in the plans, building, construction or method of payment shall affect the bonds, and limiting the defense of the sureties; and fixing venue, and by adding Article 5623b, providing that Articles 5623 and 5623a shall not be construed to deprive material men, artisans, laborers or mechanics of any rights or remedies now given them by law, and stipulating that the provisions of said articles shall

be cumulative; and providing further that this Act shall fix no greater liability on the owner, railroad company or receiver for labor performed or material furnished than the price stipulated in the original contract; and providing that the invalidity of any portion shall not affect the remainder of this Act.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 5623, Title 86, Chapter 2, Revised Civil Statutes of the State of Texas, 1911, be and the same is hereby amended so as to hereafter read as follows:

Article 5623. Any person, firm or corporation who may furnish any material to or perform any labor for any contractor, sub-contractor, agent or receiver, to be used in the erection of any house, building or improvement, or to repair any house, building or improvement, or to construct any railroad, or its properties, by giving written notice to the owner or his agent, of such house, building or improvement, or the railroad company, its agent or receiver, of each and every item furnished, and by showing how much there is due and unpaid on each bill of lumber or material furnished, or labor performed, by such person, firm or corporation, or at any time within ninety days after the indebtedness shall have accrued, may fix and secure the lien provided for in this chapter as to the material or labor furnished at the time or subsequent to the giving of the written notice above provided for, by filing in the office of the county clerk of the county in which such property is located, and if it be a railroad company in any county through which its road may pass, an itemized account of his or their claim as provided in this article, and cause the same to be recorded in a book kept by the county clerk for that purpose. Said owner, railroad company, its agent or receiver, shall cause to be executed a written contract for such erection, repair or improvement, and cause same to be filed with the county clerk of the county where the property is situated, and shall also cause to be executed and filed with the county clerk, before the work is begun, a good and sufficient bond, by said contractor, conditioned as hereinafter provided; and when said bond and contract shall be so exe-

cuted and filed, the said owner, railroad company, its agent or receiver, shall in no case be compelled to pay a greater sum for or on account of labor performed, or material, machinery, fixtures or tools furnished, than the price or sum stipulated in the original contract between such owner and contractor.

Sec. 2. That Article 5623a be added to Title 86, Chapter 2, Revised Civil Statutes of Texas, 1911, to read as follows:

Article 5623a. The owner, railroad, receiver or his agent, shall take from every contractor described in this chapter a good and sufficient bond in the sum of at least the full amount of the contract price, where said contract price is equal to or less than one thousand dollars; three-fourths of the contract price, where said contract price exceeds one thousand dollars, but does not exceed five thousand dollars; one-half the contract price where said contract exceeds five thousand dollars, but does not exceed one hundred thousand dollars, and one-third of the contract price where said contract exceeds one hundred thousand dollars, payable to the said owner, railroad or receiver. The condition of said bond shall be the true and faithful performance of the contract, and the payment of all sub-contractors, workmen, laborers, mechanics and furnishers of material by the undertaker, contractor, master mechanic or engineer, the said bond to be made in favor of the owner, sub-contractors, workmen, laborers, mechanics and furnishers of material as their interest may appear, all of whom shall have the right to sue upon said bond; and regardless of the provisions or wording of any such bond, said bond shall be construed by the courts, whether specified or not, to guarantee the true and faithful performance of the contract and payment of such claims, regardless of whether or not they are secured by any lien. Suit may be brought on said bond by the owner, sub-contractor, workmen, laborers, mechanics and furnishers of materials, or any of them, and they and each of them shall have the right to recover on said bond in the same manner as if the bond were made payable directly to them. Suit on such bond may be brought in the county where the owner resides or where the work is performed, and at any other place

provided by law. No change or alteration in the plans, building, construction or method of payment shall in any way avoid or affect the liability on said bond, and the sureties on said bond shall be limited to such defenses only as the principal on said bond could make.

Sec. 3. That Article 5623b be added to Title 86, Chapter 2, Revised Civil Statutes of the State of Texas, 1911, to read as follows:

Article 5623b. The provisions of Article 5623 and 5623a shall not be construed to deprive or abridge material men, artisans, laborers or mechanics of any rights and remedies now given them by law, and by other articles of this chapter and the provisions of said Articles 5623 and 5623a shall be cumulative of the other provisions of this chapter.

Sec. 4. Nothing in this Act shall be construed to fix a greater liability against the owner than the price or sum stipulated to be paid in the contract between such owner and contractor.

Sec. 5. It is provided hereby that if any of the provisions of this Act shall for any reason be held to be invalid or unenforceable, the remainder of this Act shall, nevertheless, not be affected thereby, but shall remain in full force and effect.

S. B. No. 147.

AN ACT

To establish, maintain, operate, equip and disestablish county free libraries and county circulating libraries for the use of the citizens of this State; exempting cities and towns maintaining free libraries from taxation for county free libraries and circulating libraries and providing for their voluntary participation in said free libraries or circulating libraries; providing for the co-operation of two or more counties in procuring and maintaining county free library service and circulating library service and providing for the consolidation and co-operation of farmers county public library with the county free library and circulating library, and also authorizing the commissioners court in lieu of establishing free libraries and circulating libraries to enter into

contracts with free libraries in any of the cities or towns of this State, or where libraries have already been established, to furnish county free libraries and circulating library service, and fixing the duty of the county commissioners in the premises; providing for the selection of county librarian, management and control, etc., of county free libraries and circulating libraries, for the levying of a library tax, for merging farmers county public libraries, and for the acceptance and disposition of gifts and bequests in connection with libraries and their maintenance, and providing for the establishment of libraries, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The county commissioners courts of the several counties shall have power to establish, maintain and operate within their respective counties free county libraries or circulating libraries in the manner and with the functions prescribed in this Act.

Sec. 2. The commissioners court of any county may establish at the county seat county free libraries and circulating libraries for that part of such county lying outside of incorporated cities and towns maintaining public free libraries, and for all such additional portions of such county as may elect or become a part of or to participate in such county free library or circulating library system as provided for in this Act.

When petitioned so to do by 25 per cent or more of the qualified voters of that part of the county that is to be affected by this Act, the commissioners court shall order an election to be held in said portion of the county to determine whether or not it is the will of two-thirds of the voters of such portion of the county to establish a county free library or circulating library; such election shall be held not earlier than fifteen nor later than sixty days from the date of the order. Such election shall be governed by the regulation and law governing local option elections. The ballots shall have printed upon them, "For a county free library" or "Against a county free library," or "For circulating library" or "Against circulating library," or both, as the

commissioners court may order. Returns of said election shall be made at the first session of said court after the holding of the election. If two-thirds vote for said county free library or circulating library, or for both, or against the free county library or circulating library, or against both, an order shall be made on the minutes of said court declaring the result. This order shall be prima facie evidence of the legality of all proceedings prior thereto. If a two-thirds vote favors the establishment of a county free library or circulating library, or both, the commissioners court shall proceed to establish and provide for the operation and maintenance of either, or both, according to the returns of said election. If one-third or more of the voters at such election opposes the establishment of either the free library or circulating library, or both, no election shall be held upon these subjects, or either, until the elapse of at least two years.

Sec. 3. The county commissioners court, at its first meeting after the establishment of either of the libraries, or both, as herein provided, shall select a librarian for the county, who shall have charge of all the library property and the control and management of all libraries hereunder established under the direction of the commissioners court. Said librarian shall be selected from the names of one or more persons submitted to the county commissioners court by the library board of the county.

The library board shall consist of three members, appointed by the commissioners court, of whom the county superintendent of each county, or ex officio county superintendent, shall be the chairman; the other two members to be selected from the county at large. It shall be the duty of the chairman to keep a record of the proceedings of the county library board. They shall hold their office for a term of four years or until their successors are appointed and qualified.

Sec. 4. After the establishment of a county free library or a circulating library, or both, as provided in this Act, the board of trustees, city council, or other legislative body of any incorporated city or town in

the county maintaining a free public library or a circulating library, may notify the commissioners court that such city or town desires to become a part of the county free library system or circulating library system, and thereafter such city or town shall be a part thereof, and its inhabitants shall be entitled to the benefits of such county free library and circulating library, and the property within such city or town shall be liable to taxes levied for county free library or circulating library purposes. But the board of trustees, city council or other legislative body of any incorporated city or town maintaining a free public library or circulating library, may at any time notify the commissioners court that such city or town no longer desires to be a part of the county free library system or circulating library system, and thereafter such city or town shall cease to participate in the benefits of such county free library and circulating library, and the property situated in such city or town shall not be liable to taxes for county free library or circulating library purposes; provided, however, that the board of trustees, city council or other legislative body of such incorporated city or town shall publish at least once a week for six weeks prior either to giving or withdrawing, in a newspaper circulating throughout such city or town, a notice of such contemplated action, giving therein the date and the place of the meeting at which such contemplated action is proposed to be taken.

Sec. 5. The county commissioners court, at the first regular meeting in each year, shall fix the salary of the county librarian and his assistants, if any, for the year.

Sec. 6. The commissioners court of any county wherein a county free library or circulating library has been established under the provisions of this Act shall have full power and authority to enter into contracts with any incorporated city or town maintaining a free public library or circulating library, and any such incorporated city or town shall, through its board of trustees or other legislative body, have power to enter into contracts with such county to secure to the residents of such incorporated city or town the same

privileges of the county free library or circulating library, or both, as are granted to or enjoyed by the residents of the county outside of such incorporated city or town, or such privileges as may be agreed upon in such contract, upon such consideration to be named in said contract as may be agreed upon, the same to be paid into the county free library fund or circulating library fund or both, and thereupon the residents of such incorporated city or town shall have the privilege with regard to said county free library or circulating library as are had by the residents of such county outside of such incorporated city or town, or such privileges as may be agreed upon in said contract.

Sec. 7. It is expressly provided that no books, papers or periodicals whose main purpose is to teach sectarian doctrines in religion or partisan politics shall ever be brought or permitted among the books, papers or periodicals of such libraries.

Sec. 8. The commissioners' court of any county wherein a county free library has been established under the provisions of this Act shall have full power and authority to enter into contracts or agreements with the commissioners court of any other county to secure to the residents of such other county such privileges of such county free library or circulating library as may by such contract be agreed upon, and upon such consideration as may in said contract be agreed upon, the same to be paid into the county free library fund or circulating library fund, or both, and thereupon the inhabitants of such other county shall have such privilege of such county free library or circulating library as may by such contract be agreed upon; and the commissioners court of such county shall have full power and authority to enter into a contract with the commissioners court of another county wherein a county free library or circulating library has been established under the provisions of this Act, as in this section provided, for the purpose of carrying out such contract, but the making of such contract shall not bar the commissioners court of such county during the continuance of such contract from establishing a county free library or circulating library therein under the provisions

of this Act, and upon the establishment of such county free library or circulating library such contract may be terminated upon such terms as may be agreed upon by the parties thereto, or may continue for the term thereof.

Sec. 9. Any white citizen of such county under the rules and regulations prescribed by the board may hold membership in said free public library or circulating library and be entitled to the privileges thereof; provided, in any county in this State having a colored population sufficiently large, in the opinion of the board, to justify such action a joint meeting of the commissioners court and the county library board, called by the president of said board, may by majority action establish a circulating library or county free library for the use of the colored citizens of such county, under such rules and regulations and with such division of money for management, etc., as they may determine.

Sec. 10. Upon the establishment of a county free library or circulating library the commissioners court shall appoint a county librarian, who shall hold office for a term of four years and until his successor is chosen and qualified, subject to prior removal for cause.

Sec. 11. The county commissioners court shall have general supervision of the county free library and circulating library, adopt general rules and regulations for the management thereof, and upon the recommendation of the county librarian establish branch libraries and stations in various town and rural schools of the county, determine the number and kind of assistants in such free public library or circulating library and branches, and employ and dismiss such assistants upon the recommendation of the county librarian.

Sec. 12. The salary per annum of the county librarian shall be fixed by the commissioners court at their first regular meetings each year, and shall be paid as salaries of other county officials are paid.

Sec. 13. The members of said county library board shall serve without pay.

Sec. 14. The county librarian shall, on or before the first day of February in each year, report to the

commissioners court the operation of the county free library or circulating library, or both, during the year ending December 31, preceding. Such report shall contain a statement of the condition of the library, their operations during the year, and the financial and book statistics kept in well regulated free public libraries.

Sec. 15. The commissioners court, after a county free library or circulating library has been established, shall annually levy, in the same manner and at the same time as other county taxes are levied, and in addition to any other taxes a tax not to exceed six mills on the \$100 valuation upon all property in such county outside of incorporated cities and towns maintaining free public libraries or circulating libraries, and upon all property within incorporated cities and towns which have elected to become a part of such county free library or circulating library system as provided in this Act, for the purpose of purchasing property for and establishing and maintaining the county free library or circulating library. The commissioners court is authorized and empowered to receive, on behalf of the county, any gift, bequest or devise for the county free library or circulating library, or for any branch or subdivision thereof. The title to all property belonging to the county free library or circulating library shall be vested in the county, but where gifts or bequests are made for the benefit of any particular branch or branches of the county free library or circulating library system, such gifts or bequests shall be administered as designed by the donor or devisor. All laws applicable to the collection of county taxes shall apply to the collection of the taxes herein provided. All funds of the county free library, whether derived from taxation or otherwise, shall be in the custody of the county treasurer. They shall constitute a separate fund, called the county free library fund or circulating library fund, and shall not be used for any purpose except those of the county free library or circulating library.

Sec. 16. In any county where a farmers county public library has been established as provided by

Chapter 122 of the laws of the Regular Session of the Thirty-third Legislature the same shall continue to operate as a farmers county public library unless by a vote of the electors it is decided to establish a county free library or circulating library, in which case the former shall be merged with and become a part of the latter and operated with same.

Sec. 17. The commissioners court shall have power to accept on behalf of the county free library or circulating library and its branches all bequests, gifts, donations, such as books, charts, periodicals, newspapers, lands, buildings, equipment, supplies and other things of value necessary for the maintenance and prosecution of the work of such libraries, and to administer the same as part of the county free library or circulating library system.

Sec. 18. After a county free library or circulating library has been established, either or both may be disestablished in the following manner: At least once a week for six successive weeks prior to the taking of such action the commissioners court shall publish in a newspaper designated by them, published in the county, and whose circulation is general throughout such county, notice of such contemplated action, giving therein the date of meeting at which such contemplated action is proposed to be taken.

Sec. 19. Instead of establishing a separate free county library or circulating library, or either, the commissioners court may enter into a contract, according to the provisions of this section, with the board of library trustees or other authority in charge of the free public or circulating library of any incorporated city or town, and the board of library trustees or other authority in charge of such free public library or circulating library is hereby authorized to make such a contract. Such contract may provide that the free public library of such incorporated city or town shall assume the functions of a county free library or circulating library, or both, within the county.

Sec. 20. In case any section of this Act or any proviso therein is declared to be unconstitutional or invalid for any reason, the same shall in nowise affect the the remaining

sections and provisions of this Act.
Sec. 21. Emergency clause.

S. B. No. 124.

AN ACT

To amend Article 915, Title 10, of the Code of Criminal Procedure of the State of Texas providing that an appeal may be taken in criminal cases by giving notice thereof in open court, and having the same entered of record, by adding thereto a provision that if notice is given and the order is not entered of record at the term set at which the case was tried, the court in term time or vacation may enter an order requiring the notice to be entered of record nunc pro tunc.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 915, Title 10, of the Code of Criminal Procedure, be so amended as to hereafter read as follows:

Art. 915. An appeal is taken by giving notice thereof in open court at the term of court at which conviction is had, and having the same entered of record; provided, that if notice of appeal is given at the term at which the conviction is had, and the same is not entered of record, by making proof of that fact, the judge of the court trying the cause may order same entered of record either in term time or vacation by entering in the minutes of his court an order to that effect, which said entry when so made shall bear date as of date when notice of appeal was actually given in open court.

Sec. 2. Emergency clause.

S. B. No. 391.

AN ACT

To amend Articles 5738 and 5739, Title 90, Chapter 1, of the Revised Civil Statutes of the State of Texas, 1911, relating to the practice of medicine, so as to increase the fees charged applicants for license to practice medicine, and creating an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 5738 and 5739 of Title 90, Chapter 1, of the

Revised Civil Statutes of the State of Texas, 1911, be amended so as to hereafter read as follows:

Article 5738. The board of medical examiners may, at its discretion, arrange for reciprocity in license with the authority of other States and Territories having requirements equal to those established by this law. License may be granted applicants for license under such reciprocity on payment of fifty (\$50) dollars.

Article 5739. All applicants for license to practice medicine in this State, not otherwise licensed under the provisions of law, must successfully pass an examination before the board of medical examiners established by this law. Applicants to be eligible for examination must present satisfactory evidence to the board that they are more than twenty-one years of age, of good moral character and graduates of bona fide, reputable medical schools. Such schools shall be considered reputable within the meaning of this law whose entrance requirements and courses of instruction are as high as those adopted by the better class of medical schools of the United States, whose course of instruction shall embrace not less than four terms of five months each. Application for examination must be made in writing under affidavit to the secretary of the board, on forms prepared by the board, accompanied by a fee of twenty-five (\$25) dollars; except when an applicant desires to practice obstetrics alone, the fee shall be five (\$5) dollars. Such applicant shall be given due notice of the date and place of examination. Applicants to practice obstetrics in the State of Texas, upon proper application, shall be examined by the board in obstetrics only, and upon satisfactory examination shall be licensed to practice that branch only; provided, this shall not apply to those who do not follow obstetrics as a profession, and who do not advertise themselves as obstetricians or midwives, or hold themselves out to the public as so practicing. In case any applicant, because of failure to pass examination, be refused a license he or she shall, after one year, be permitted to take a second examination without an additional fee.

Sec. 2. Emergency clause.

S. B. No. 303.

AN ACT

To regulate the practice of dentistry in the State of Texas, providing for a board of dental examiners; prescribing their duties, providing penalties for the violation of the provisions of this Act, and repeal in all laws and parts of laws in conflict with this Act.

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be unlawful for any person to practice or attempt to practice dentistry or dental surgery in the State of Texas and charge therefor, directly or indirectly, money or other compensation without first having obtained a license from the State Board of Dental Examiners, and having recorded such license as hereinafter provided.

Sec. 2. Any person shall be regarded as practicing dentistry within the meaning of this Act who shall diagnose, or offer to diagnose, or treat or offer to treat, any of the diseases or lesions of the oral cavity, teeth, gums, maxillary bones or sinews, or extract teeth, or shall prepare or fill cavities in the human teeth, correct malformations of the teeth or jaw or supply artificial teeth as a substitute for natural teeth, or administer anaesthetics, general or local, or any other practice included in the curricula of recognized dental colleges; provided, that physicians and surgeons may, in the regular practice of their professions, extract teeth or make application for the relief of pain; provided further, that druggists may sell or apply any drug the sale of which is not expressly prohibited by the laws of Texas or of the United States for the relief of pain where they do not charge for applying said drug, and provided further, that nothing in this Act shall apply to any person legally engaged in the practice of dentistry or dental surgery in this State at the time of the passage of this Act.

Sec. 3. It shall be unlawful for any person or persons to extract teeth or perform any other operation pertaining to dentistry and charge therefor, directly or indirectly, money or other compensation, for the purpose of advertising, exhibiting or

selling any medicine or instrument or business of any kind or description whatever, unless such person or persons shall first have complied with the provisions of this Act.

Sec. 4. A board of examiners, consisting of six practicing dentists of acknowledged ability as such, is hereby created, whose duty it shall be to carry out the purposes and enforce the provisions of this Act, as hereinafter specified; provided, that the members of the dental board in office at the time of the passage of this Act shall be permitted to serve out their respective terms of office for which they were appointed and until their successors have been duly appointed.

Sec. 5. The members of said board shall be appointed by the Governor, and shall serve for a term of two years, excepting that the board first appointed after the passage of this Act shall be made up as follows: Three for one year and three for two years. In case of vacancy occurring in said board by resignation, removal from State or by death, such vacancy may be filled for its unexpired term by the Governor. Before entering upon duties of his office each and every member of this board shall make oath before any officer authorized to administer an obligation, who shall be empowered to use a seal of office, that he will faithfully discharge the duties incumbent upon him to the best of his ability. The same shall be filed with the county clerk of the county in which affiant resides. The county clerk shall receive, for recording the same, fifty cents.

Sec. 6. Said board shall keep a record, in which shall be registered the names and residences or places of business of all persons authorized under this Act to practice dentistry or dental surgery in this State. It shall elect one of its members president and one secretary thereof, and it shall meet at least once in each year, and as much oftener and at such times and places as it may deem necessary. A majority of the members of said board shall constitute a quorum, and the proceedings thereof shall be open to the public.

Sec. 7. Any person who has graduated from a reputable dental college or dental department of a recognized university desiring to com-

mence the practice of dentistry or dental surgery within this State after the passage of this Act shall, before commencing such practice, make application to said board in writing, showing his or her age, references of character, school of graduation, signed and properly acknowledged before a notary public, and, upon undergoing a satisfactory examination before said board, shall be entitled to a license to practice dentistry or dental surgery in this State.

Sec. 8. Said dental board shall be authorized to ascertain and determine what shall constitute a dental college or institution in good standing or repute; but no such dental college or dental institution shall be considered reputable unless the same shall possess the following qualifications:

1. It shall be chartered under the laws of the State in which it is located and operated, and shall be authorized by its charter to confer the degree of doctor of dental surgery or doctor of medical dentistry.

2. It shall deliver annually a full course of lectures and instructions by competent faculty and corps of instructors in the following subjects: Anatomy, chemistry, physiology, histology, materia medica, therapeutics, dental metallurgy, pathology, bacteriology, operative dentistry, prosthetic dentistry, crown and bridge work, and oral surgery and hygiene. Said course of instruction to consist of not less than three terms in separate academic years and of not less than thirty-two weeks of six days each for each term.

3. The apparatus and equipment in each said dental college or institution shall be ample and sufficient for the ready and full teaching of the above-named subjects.

Sec. 9. Every person to whom license is issued by said board of examiners shall keep such license on display in a conspicuous place within the office of the holder thereof, and shall, within ninety days from the date thereof, present the same to the clerk of the county in which he or she resides or expects to practice, who shall officially record said license in his office book, provided for that purpose, and shall be entitled to a fee of fifty cents for his services.

Sec. 10. Any person who has been

authorized to practice dentistry or dental surgery in this State, who desires to obtain a new license under this Act, shall make application to the board of examiners and present his license of authority, together with an affidavit that he is the same person to whom said license was originally granted, provided, however, that if said license has been lost or destroyed he or she shall make affidavit to such fact and shall be granted a license under this Act upon the payment of fifty cents, and said license shall recite the fact that it is issued in lieu of former license held by said applicant; provided, that the board shall have power to refuse a license to such applicant if the records of the board shall not show that he or she has been licensed as claimed in his or her application.

Sec. 11. Any member of the board of examiners under this Act shall have power, when it shall be made to appear to said member, by satisfactory evidence from any credible witness, that any person who has been granted a license to practice dentistry or dental surgery in this State, has been convicted of a felony, or has been guilty of any deception or misrepresentation of facts, for the purpose of soliciting or obtaining business or has been guilty of any fraudulent or dishonorable conduct, or malpractice, to file complaint against said person in the district court of the county in which said offense has occurred, whereupon the clerk of said court shall issue subpoena to the person so charged, citing him or her to appear before said court on some certain day, not less than ten days after the notice of such charge has been served on such person to answer to said charge, and, upon conviction of said charge, it shall be the duty of the court to revoke such person's license to practice dentistry or dental surgery in this State; and any person who shall practice or attempt to practice dentistry or dental surgery in this State after his or her license has been revoked, as provided in this section, shall, upon conviction of such practice, be deemed guilty of a misdemeanor and shall be punished by fine or imprisonment, or both, as provided in section 14 of this Act.

Sec. 12. To provide for the proper and effective enforcement of this Act

said board of examiners shall be entitled to a fee of twenty-five dollars from each applicant examined, which said sum shall accompany the application, and which sum shall in no event be refunded to the person examined.

Sec. 13. The members of said examining board shall each receive the compensation of five dollars per day for each day actually engaged in the duties of his office, which, together with all legitimate expenses incurred in the performance of such duties, shall be paid from the fees received by the board under the provisions of this Act; and no part of the expenses of said board shall at any time be paid out of the State Treasury. All moneys in excess of said per diem allowance and other expenses shall be held by the secretary of the board as a special fund for meeting the expenses of said board and for the enforcement of the law, by giving such bond as the board may from time to time direct, and said board shall make an annual report of its proceedings to the Governor by the fifteenth day of December of each year, together with an account of all moneys received and disbursed by them in the pursuance of this Act.

Sec. 14. Any person who shall violate this Act by practicing or attempting to practice dentistry or dental surgery within the State of Texas without first complying with the provisions of this Act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in the sum of not less than twenty-five dollars or by imprisonment in the county jail for a term of not less than thirty days, or both, nor more than one hundred dollars and not to exceed a term of six months, for each and every offense, each day in the practice constituting an offense. All fines collected from prosecutions under this law shall be appropriated to the common school fund in the county where collected.

Sec. 15. Any person or persons who shall violate this Act by extracting teeth, or performing any other operation pertaining to dentistry for the purpose of advertising, exhibiting, or selling any medicine, instrument or business of any kind or description, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than twenty five dollars, or by

imprisonment in the county jail for a term of not less than thirty days, or both, nor more than one hundred dollars and a term not to exceed six months in the county jail, for each and every offense.

Sec. 16. On trial of any person charged with the violation of any of the provisions of this Act, it shall be incumbent upon the defendant, in order to exempt him from the penalties thereof, to show that he had authority under the law to practice dentistry in this State.

Sec. 17. Provided that in case any section of this Act is declared unconstitutional, it shall not affect the remaining sections.

Sec. 18. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 19. Emergency clause.

S. B. No. 68.

AN ACT

To amend Article 7314, Chapter 8, of the Revised Civil Statutes of 1911, describing the duties and powers of the Live Stock Sanitary Commission so as to place scabbies in sheep under the provisions of said commission, and to make it the duty of said commission to stamp out and eradicate scab in sheep and cholera in hogs in this State, and to provide for quarantining against other States, and the bringing of infected sheep from other States into this State; providing for the appointing of county inspectors under this Act, repealing the present law passed by the Thirty-second Legislature relative to appointing inspectors, and the eradication of scab, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7314 shall hereafter read as follows:

Article 7314. It shall be the duty of the commission provided for in Article 7312 to protect the domestic animals of this State from all contagious or infectious diseases of a malignant character, including cholera in hogs, whether said diseases exist in Texas or elsewhere; and for this purpose they are hereby authorized and empowered to establish, maintain and enforce such quarantine

lines and sanitary rules and regulations as they may deem necessary. It shall also be the duty of said commission to co-operate with live stock quarantine commissioners and officers of other States and Territories, and with the United States Secretary of Agriculture, in establishing such interstate quarantine lines, rules and regulations as shall best protect the live stock industry of this State against Texas or splenic fever and scabbies in sheep. It shall be the duty of said commission upon receipt by them of reliable information of the evidence among the domestic animals of the State of any malignant disease, including scabbies in sheep and cholera in hogs, to go at once to the place where any such disease is alleged to exist and make a careful examination of the animals believed to be infected with any such disease, and ascertain, if possible, what, if any, disease exists among the live stock reported to be affected and whether the same is contagious or infectious; and if said disease is found to be of a malignant, contagious or infectious character, they shall direct and enforce such quarantine lines and sanitary regulations as are necessary to prevent the spread of any such disease. And no domestic animal infected with disease, or capable of communicating same, shall be permitted to enter or leave the district, premises or grounds so quarantined except by authority of the commission. The said commission shall also, from time to time, give and enforce such directions and prescribe such rules and regulations as to separating, feeding and caring for such diseased and exposed animals as they shall deem necessary to prevent the animals so affected with such disease from coming in contact with other animals not so affected. And the said commissioners are hereby authorized and empowered to enter upon any grounds or premises, to carry out the provisions of this Act. If scab or scabbies are found in any flock of sheep when same is inspected, which inspection shall be made whenever the commission may receive information by notification by any citizen or otherwise that scab probably exists, any member of said commission, or an inspector appointed by said commission, shall have the power, and he is hereby given the power, to inspect and dip

said sheep at the owner's expense; and if any owner or owners shall refuse to permit said sheep to be dipped after having been examined and condemned by said commission, he shall be fined in any amount not less than fifty dollars, nor more than two hundred dollars, and if any owner or owners shall refuse to pay the actual cost of said dipping, the commission, as hereinbefore provided, shall have the right to bring civil action against such owner or owners, in the county where said sheep are inspected, for the sum or sums actually paid out as the expense of said inspection and dipping; provided, that in case the Live Stock Sanitary Commission shall not have sufficient number of inspectors to execute the provisions of this law, then the commission may appoint a resident sheep inspector to serve in one or more counties whenever it is necessary to do so, provided the commissioners court in said county or counties shall agree to pay the salary of said inspector, or their pro rata of said salary based upon the number of sheep in each county as shown by the tax rolls of said counties, where the duties of inspector are performed in more than one county. Said inspector shall be paid a salary of not less than twenty-five dollars per month nor more than one hundred dollars per month. Such inspectors shall be practical and experienced sheep men; they shall be under the exclusive control of the Live Stock Sanitary Commission, and shall be subject to removal by said Live Stock Sanitary Commission or either of said commissioners, whenever said commission or commissioners shall deem necessary to do so.

Sec. 2. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 3. Emergency clause.

S. B. No. 133.

AN ACT

To make appropriation to cover the cost of temporary buildings for the use of the West Texas State Normal College at Canyon, Texas, built in June, 1914, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there is hereby appropriated out of the public funds

in the State Treasury of the State of Texas, out of money not otherwise appropriated, the sum of \$3,396.69, or so much thereof as may be necessary, for the purpose of paying for the erection of temporary buildings upon the campus of the West Texas State Normal College, at Canyon, Texas, in June, 1914.

Sec. 2. Emergency clause.

S. B. No. 66.

AN ACT

To authorize and empower the Railroad Commission of Texas to require any railway company or receiver owning or operating any line of railroad within the State to acquire and install in a road bed or track of such railroad or designated portion thereof such ties, rails, ballast and other material as may be adequate and necessary to lay such track and road bed in a safe condition to enable such company or corporation to transport freight and passengers with safety and without delay; and to authorize the Railroad Commission to permit the issuance of bonds for such improvements; prescribing penalties for violation thereof and remedies for the enforcement of this Act and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Railroad Commission of Texas shall have authority and it is hereby made its duty to see that each and every railroad corporation owning or operating a line of railroad in this State shall maintain its roadbed and track in such condition as to enable it to perform all of its duties as a common carrier with reasonable safety to persons and property carried by it and its employes and with reasonable dispatch.

The Railroad Commission of Texas shall be vested with full power to require of any such railroad company to purchase or secure for installation in its roadbed or track all such ties, rails, ballast and other materials and equipment as may, in the judgment of the Railroad Commission of Texas be necessary for the proper maintenance of such track and road bed so as to enable such railroad corporation to adequately perform its duties to the public and to transport freight and passengers

with safety thereunto and without delay.

The Railroad Commission of Texas is hereby empowered to require any such railroad company to acquire and install in the whole of such track or road bed or any portion thereof that may be designated by the Railroad Commission of Texas such ties, rails, ballast and other materials as may, in the judgment of the Railroad Commission be adequate and sufficient to place such track or road bed in safe condition.

Sec. 2. When the Railroad Commission of Texas shall have made any such order as authorized by Section 1 of this Act, it shall be the duty of any such railroad company or receiver subject thereto, to promptly comply with the terms thereof, and for failure or refusal to do so, such company or receiver shall become liable to the State of Texas, "as in other cases of failure to comply with orders of the Railroad Commission as provided by law." In addition to such penalties, any court of competent jurisdiction shall have the power to, and it shall be its duty to issue writs of mandamus and mandatory injunctions and other proper writs to compel the compliance with such orders.

Sec. 3. In any case where the Railroad Commission of Texas shall make an order in accordance with the preceding sections of this bill for the improvement of the line of railway of any railroad corporation, then and in such event the Railroad Commission of Texas, at the time of making such order, may, and it is hereby authorized, in its discretion, to make an order permitting said railroad corporation to issue bonds sufficient to raise the money necessary to make such improvements; to authorize such railroad corporation to secure the same by proper mortgage upon its property, and to designate such bonds and mortgage as "Improvement Bonds and Mortgages"; provided the entire amount of bonds of said railroad company including the new bonds shall not exceed the assets of said company, and the said Railroad Commission is hereby vested with power and authority to make such orders.

It is also the duty of said Railroad Commission of Texas to see that the funds arising from the sale of such bonds shall be applied to the making of such improvement as it

ordered said railroad corporation to make, and it is hereby vested with power and authority to regulate the same in the proper manner, and any sale of any such "Improvement Bonds and Mortgages" at less than par value thereof, must in order to be valid, be approved by the Railroad Commission. Provided that the provisions of this Act shall not be considered as a repeal or modification in any manner of the present stock and bond law of the State, governing the issuance of stocks and bonds by railroads.

Sec. 4. Emergency clause.

S. B. No. 204.

AN ACT

To appropriate out of the general revenue not heretofore appropriated, the sum of twenty-five thousand dollars or so much thereof as may be necessary to defray the expenses of the Department of the State Health Officer of the State of Texas in preventing an outbreak of the bubonic plague or the spread thereof in Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That for the purpose of enabling the State Health Officer of the State of Texas to employ such assistance as he deems necessary to assist in preventing the bubonic plague from getting a foothold in the State of Texas, and also to ascertain if it now exists at any of the seaports of the State, there is hereby appropriated out of the money of the State Treasury not otherwise appropriated, the sum of twenty-five thousand (\$25,000) dollars, or so much thereof as may be necessary, to be expended under the direction of the State Health Officer and to be paid upon warrants drawn by the State Comptroller of Public Accounts on vouchers approved by the State Health Officer.

Sec. 2. Emergency clause.

S. B. No. 378.

AN ACT

To appropriate the sum of three thousand dollars for the suppression and eradication of foul brood in bees, to be expended under the direction of the State Entomologist and the Director of the

Texas Agricultural Experiment Station, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of three thousand dollars (\$3,000) or so much thereof as may be necessary, be and the same is hereby appropriated out of the general revenue fund not otherwise appropriated, to be used for the suppression and eradication of foul brood in bees, now threatening the beekeepers of the State of Texas, said sum to be expended under the supervision of the State Entomologist and the Director of the Texas Agricultural Experiment Station.

Sec. 2. Emergency clause.

S. B. No. 314.

AN ACT

To amend Article 5402, Revised Statutes 1911, so as to authorize the investment of the proceeds of the sale of lands granted to counties for educational purposes in bonds of the United States, the State of Texas, of counties of the State, of independent or common school districts, road precinct, drainage, irrigation, navigation and levee districts of said State, of incorporated cities and towns, of road precincts of any county, of drainage, irrigation and levee districts of any county or counties of Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 5402, of the Revised Civil Statutes of Texas of 1911, be amended so as to hereafter read as follows:

Article 5402. Each county may sell or dispose of the lands granted to it for educational purposes in such manner as may be provided by the commissioners court of such county; and the proceeds of any such sale shall be invested in bonds of the United States, the State of Texas, the bonds of the counties of the State, and the independent or common school districts, road precinct, drainage, irrigation, navigation and levee districts of said State, and the bonds of incorporated cities and towns, and the bonds of road precincts of any county of Texas, and the bonds of drainage, irrigation, navigation and levee districts of any county or counties of Texas; "And held by such

county alone as a trust for the benefit of public free schools therein, only the interest thereon to be used and expended annually."

Sec. 2. Emergency clause.

S. B. No. 185.

AN ACT

To amend Chapter 6, Title 115, of the Revised Statutes of Texas of 1911, by adding thereto Article 6464a, providing for the decrease of the capital stock of railroad corporations.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 6, Title 115, of the Revised Statutes of Texas of 1911, be amended by adding thereto Article 6464a, to be inserted immediately after Article 6464, and to read as follows:

Article 6464a. A railroad corporation may, in the same manner prescribed in this chapter for an increase of capital stock, decrease its capital stock in any amount which shall not reduce the same to less than one thousand (\$1,000) dollars for every mile of its road as planned and described in its charter. But no such decrease shall prejudice the rights of any creditor of such corporation in any claim or cause of action such creditor may have against the company or any stockholder or director thereof. If such decrease relates to or affects any part of the stock that has actually been subscribed or issued, than such decrease shall not become effective until full proof is made by affidavit of the directors to the Secretary of State of the financial condition of such corporation, giving therein all its assets and liabilities, with names and post-office addresses of all creditors and amount due each; and where the proposed decrease affects any part of the subscribed or issued stock as aforesaid, the Secretary of State may require as a condition precedent to the filing of such certificate of decrease that the debts of the corporation be paid or reduced.

S. B. No. 402.

AN ACT

To amend Article 1461, Revised Civil Statutes of 1911, relating to the appointment of county auditors.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1461, Revised Civil Statutes of 1911, be and the same is hereby amended so as to read as follows:

Article 1461. Appointment by whom; reported to commissioners; recorded. The county judge or a judge of any district court of any such county shall convene a special meeting of the judges of the county and district court or courts having jurisdiction in the county who shall jointly appoint the auditor, a majority vote ruling; provided that in the event such judges fail to agree upon the selection of some person as auditor then either of said judges shall certify such fact to the Governor of the State, who shall thereupon designate and appoint some other judge of some other district court of the State to act and vote with the aforesaid judges in the selection of said auditor. The action shall then be reported by one of said judges to the commissioners court in regular or special session, which shall have said appointment entered on the minutes of said court.

Sec. 2. Emergency clause.

S. B. No. 279.

AN ACT

To amend subdivisions 1 and 2 of Articles 4599, Chapter 7, Title 66, Revised Civil Statutes of the State of Texas, 1911, relating to the duties and powers of the State Board of Embalming so as to include therein the power to maintain a standard of proficiency in the practice of embalming and the power to employ lecturers and demonstrators and to require said board to make annual reports to the State Health Officer, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That subdivisions 1 and 2, of Article 4599, of Chapter 7, of Title 66, Revised Civil Statutes of the State of Texas, 1911, be so amended as to hereafter read as follows:

Article 4599. The Board of Embalming shall have the power and it shall be its duty:

1. To prescribe and maintain a standard of proficiency as to the qualifications of those engaged, and who may engage, in the practice of embalming in connection with the care and disposition of dead bodies

in the State of Texas, and, in this connection, the said board shall have the right and the power, to be exercised at its discretion, to employ capable and efficient lecturers and demonstrators in the science of embalming for the benefit of all licensed embalmers in this State. The said lecturers and demonstrators shall meet not more than once in each year with annual session of the Texas Funeral Directors and Embalmers' Association.

2. To meet at least once in each year, and oftener, as the proper and efficient discharge of its duties may require. At least sixty days' notice of the meeting of said board shall be given by publication in at least three daily newspapers published in different towns and cities of the State. Three members of the board shall constitute a quorum for the transaction of all its business and the performance of all its duties; the board shall make an annual report to the State Health Officer, a copy of which shall be furnished to each and every licensed embalmer in the State of Texas, upon the condition of embalming in Texas, which report shall embrace all the proceedings of the board, and give an itemized account of money received and paid out by said board, shall show to whom paid and specifically for what purpose it was paid, and also the names of all embalmers duly licensed under this chapter. And it shall be the further duty of said board to deliver all money on hand at the end of the term of each board, after all the outstanding debts have been paid, to their successors in office.

Sec. 2. Emergency clause.

S. B. No. 217.

AN ACT

To provide for the collecting, properly housing and protecting, maintaining and exhibiting at the Panama-Pacific International Exposition to be held at San Francisco, California, during the year 1915, the varied resources and products of the State of Texas, that better markets may be created for such resources and products, and for the disseminating of market information; that the sum of twenty-five thousand (\$25,000) dollars be appropriated out of any funds in the State Treasury not

otherwise appropriated to be used in furtherance of said purpose, and that said funds be expended by the Panama-Pacific International Exposition Commission of Texas, through the State Department of Agriculture, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the sum of twenty-five thousand (\$25,000) dollars be and the same is hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the purpose of collecting, properly housing and protecting, maintaining and exhibiting the agricultural, horticultural, manufactured, mineral, livestock, forestry and other varied products and resources of the State of Texas, at the Panama-Pacific International Exposition to be held in San Francisco, California, during the year 1915, in order that a better market might be created for such products and resources, and information and knowledge affecting the marketing of said products be disseminated throughout the land.

Sec. 2. The Comptroller of Public Accounts is hereby authorized to issue his warrant on the requisition of said Panama-Pacific International Exposition Commission of Texas and with the approval of the Commissioner of Agriculture of the State of Texas for the amounts required by them, not to exceed the amount herein appropriated; to carry out the provisions of this Act. And it is further provided that no part of the twenty-five thousand (\$25,000) dollars herein appropriated shall be used to pay any salary or salaries of the Commission herein mentioned or for the services of any one appointed or employed by this commission.

Sec. 3. That at the expiration of said exposition, it shall be the duty of the Panama-Pacific International Exposition Commission of Texas to have returned to the city of Austin and there have deposited with the Commissioner of Agriculture of the State of Texas all possible articles of whatever nature donated to or purchased by the State for exhibit, and the said Commissioner of Agriculture shall take charge of and preserve the same for the use of the State the title to same to be in the State. The said Panama-Pacific International Exposition Commission of Texas shall make a full and detailed report to

the Governor of the services performed by the Panama-Pacific International Exposition Commission of Texas, and the expenditures incurred out of the funds appropriated, and the funds remaining on hand, if any there be, shall be paid into the State Treasury.

Sec. 4. Emergency clause.

S. B. No. 277.

AN ACT

Providing for the issuance of certain State bonds and authorizing the retirement of certain bonds of the State of Texas, maturing on July 1, 1946, and September 1, 1950, respectively; providing for the sale of the new bonds issued and a sinking fund for the same, providing for the appropriation of twenty-four thousand three hundred fifty-eight dollars and thirty-three cents (\$24,358.33) for the maintenance and support of the Agricultural and Mechanical College, the amount being the sum necessary to make up the interest deficit due on endowment as required by the Federal law, and four thousand dollars (\$4,000) to be appropriated to reimburse the permanent fund of the Agricultural and Mechanical College, the amount being for the purpose of replacing a similar sum which was diverted in the year 1910 from the permanent Agricultural and Mechanical College fund, making an appropriation to carry this Act into effect and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Governor of the State of Texas is hereby authorized to have lithographed twenty (20) coupon bonds of the State of Texas of the denomination of ten thousand dollars (\$10,000.00) and one (1) coupon bond of the denomination of nine thousand dollars (\$9,000.00). Said bonds shall be designated "State of Texas refunding bonds, issue of 1915." They shall be designated from one (1) to twenty (20) inclusive of the first denomination and number one (1) of the second denomination. Bonds of both denominations shall be dated September 1, 1915, and shall become due and payable forty (40) years from date, but the State shall reserve the option of redeeming said bonds at any time

after twenty (20) years from this date. These bonds shall bear interest at the rate of five (5) per centum per annum, payable semi-annually on the first day of September and February each year, evidenced by coupons attached. The form of such bonds and coupons shall be prepared by the Attorney General. The bonds shall be signed by the Governor and the Treasurer of the State of Texas and countersigned and registered by the Comptroller and shall have the seal of Texas affixed thereto.

Sec. 2. The bonds herein provided for are authorized for the purpose of redeeming and cancelling State bonds outstanding to the amount of thirty-five thousand (\$35,000.00) dollars permanent Agricultural and Mechanical College fund, the same bond number three (3) issue of July 1, 1906, and maturing on July 1, 1946, issued under an Act of the Regular Session of the Twenty-ninth Legislature of Texas, entitled, "An Act for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1905, and for issuing others, etc. (Chapter 156, General Laws of the Regular Session of the Twenty-ninth Legislature); for the purpose of redeeming and cancelling State bonds outstanding to the amount of one hundred seventy thousand dollars (\$170,000.00) permanent Agricultural and Mechanical College fund, the same being seventeen (17) bonds of denomination of ten thousand dollars (\$10,000.00) each, said bonds bearing Nos. 82 to 97 inclusive, and No. 110 of the State of Texas Refunding Bond Issue of September 1, 1910, and maturing on September 1, 1950, issued under an Act of the Third Called Session of the Thirty-first Legislature, entitled, "An Act to provide for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and the first day of September, 1910, providing for the issue and sale of other bonds, etc. (Chapter 7, Third Called Session of the Thirty-first Legislature); and for the purpose of reinvesting four thousand dollars (\$4,000.00), as provided for in Section 1 of this Act."

Sec. 3. The Governor and State Treasurer shall sell the bonds herein provided for and with the proceeds thereof shall redeem the outstanding bonds of the State referred to in Section 2 of this Act; providing, that said bonds shall not be sold for less

than par and accrued interest; and provided, further, that the State Board of Education shall have an option of ten (10) days in which to purchase, said bonds; provided that the Board of Education will pay the price offered for such bonds by the best bona fide bidder.

Sec. 4. There shall be appropriated and set aside in the State Treasury at each biennial session of the Legislature an amount equal to two (2) per cent per annum of the bonds herein provided for, for the purpose of creating a sinking fund with which said bonds shall be redeemed. "Provided, that said sinking fund, as the same accumulates from time to time, shall be invested by the State Board of Education in such securities as the public school fund may be invested in under the law, which shall be maintained and held in the treasury for the ultimate redemption of the bonds herein authorized."

Sec. 5. The sum of twenty-four thousand three hundred fifty-eight dollars and thirty-three cents (\$24,358.33) is hereby appropriated out of any money in the State Treasury not otherwise appropriated for the maintenance and support of the Agricultural and Mechanical College for the fiscal year ending August 31, 1915, the amount being the sum necessary to make up the interest deficit due on the endowment as provided by the terms of the Federal Law, and that a further sum of four thousand (\$4,000.00) dollars is hereby appropriated out of any unexpended balance in the State Treasury for the year ending August 31, 1915. The said four thousand (\$4,000.00) dollars to be used to increase the bonds held by the Agricultural and Mechanical College from \$205,000.00 to \$209,000.00, as provided in this Act.

Sec. 6. The sum of two hundred fifty (\$250.00) dollars or as much thereof as may be necessary is hereby appropriated out of any funds in the State Treasury not otherwise appropriated to pay the expense of lithographing the bonds provided for in this Act, and any other expenses necessary in carrying out the provisions thereof.

Sec. 7. All laws and parts of laws in conflict with this Act are hereby repealed.

S. B. No. 247.

AN ACT

Making it a criminal offense punishable by fine, for any person or persons within this State, without the consent of the proprietors thereof, and with intent to avoid the payment of the lawful tolls and charges, to trespass and enter upon any toll bridge maintained wholly or partly within this State. Be it enacted by the Legislature of the State of Texas:

Section 1. If any person or persons in this State shall wilfully enter upon any toll bridge maintained wholly or partly within this State without the consent of those in charge of such bridge, with the intent to avoid the payment of the toll lawfully chargeable for crossing the same, such person or persons shall be deemed trespassers, and guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than five dollars nor more than one hundred dollars.

Sec. 2. Emergency clause.

S. B. No. 80.

AN ACT

To amend Articles 1827, 1828, 1829, 1902, and to repeal Articles 1829a and 1829b of the Revised Statutes of the State of Texas, as amended by Chapter 127 of the Acts of the Thirty-third Legislature, Regular Session, and to provide for the plea of general denial, and prescribing its effects. To repeal all laws in conflict herewith, and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1827 of the Revised Statutes, as amended by Chapter 127, laws of the Regular Session of the Thirty-third Legislature be so amended so as to hereafter read as follows:

"Article 1827. Requisites of the petition. The petition shall set forth clearly the names of the parties and their residences, if known, with a full and clear statement of the cause of action, and such other allegations pertinent to the cause, as the plaintiff may deem necessary to sustain his suit, and without any distinction between suits at law and in equity, and shall also state the nature of the relief which he requests of the court."

Sec. 2. That Article 1828, as amended by said Chapter of the Acts of the Regular Session of the Thirty-third Legislature, be so amended as to hereafter read as follows:

"Article 1828. Defensive matters pleaded by plaintiff. When the defendant sets up a counter claim against the plaintiff the plaintiff may plead thereto under the rules prescribed for the pleadings of defensive matter by the defendant so far as the same may be applicable; and, whenever, under such rules, the defendant is required to plead any matter of defense under oath, the plaintiff shall in like manner be required to plead such matters under oath, when relied on by him."

Sec. 3. That Article 1829, as amended by said Chapter, be so amended so as to hereafter read as follows:

"Article 1829. Denial of special defenses presumed. It shall not be necessary for the plaintiff to deny any special matter of defense pleaded by the defendant, but the same shall be regarded as denied unless expressly admitted."

Sec. 4. That Article 1902, as so amended, be amended so as to hereafter read as follows:

"Article 1902. Answer may include several matters. The defendant in his answer may plead as many several matters, whether of law or fact, as he shall think necessary for his defense, and which may be pertinent to the cause; provided, that he shall file them all at the same time, and in due order of pleading. Provided, that a general denial of matters pleaded by the adverse party which are not required to be sworn to shall be sufficient to put the same in issue."

Sec. 5. That Articles 1829a and 1829b, of Chapter 127, Acts of the Regular Session of the Thirty-third Legislature, are hereby repealed.

Sec. 6. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 7. Emergency clause.

S. B. No. 282.

AN ACT

To amend Title 25, Chapter 2, Article 1121, Subdivision 16, Revised Statutes of Texas, 1911, providing for the creation of private corporations for the estab-

lishment and maintenance of all companies with authority to contract for lease and purchase; of the right to prospect for, develop and use coal and other minerals, by adding thereto the right to contract for the lease and purchase, of the right to prospect for, develop and use gas; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1121, Subdivision 16, of Title 25, Chapter 2, of the Revised Statutes of the State of Texas, 1911, be amended so as to hereafter read as follows:

"For the establishment and maintenance of oil companies with the authority to contract for the lease and purchase of the right to prospect for, develop and use coal and other minerals, petroleum and gas; also the right to erect, build and own all necessary oil tanks, cars and pipes necessary for the operation of the business of same."

Sec. 2. All private corporations heretofore created under the provisions of Subdivision 16, Article 1121, Chapter 2, Title 25, Revised Statutes of Texas of 1911, shall in addition to the powers therein enumerated, have the power to contract for the lease and purchase of the right to prospect for, develop and use gas; also erect build and own all necessary oil tanks, cars and pipes necessary for the operation of the business of same.

Sec. 3. Emergency clause.

S. B. No. 418.

AN ACT

To amend Article 1120, of Title 15, of Chapter 2, of the Code of Criminal Procedure of the State of Texas, relating to fees of district attorneys of districts composed of two counties or more, and to provide for assistant district attorneys in certain districts, and to provide for compensation for such assistants, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1120, of Title 15, of Chapter 2, of the Penal Code of the Statutes of Texas be, and the same are hereby, amended so as to hereafter read as follows:

"In addition to the five hundred dollars now allowed them by law,

district attorneys in all judicial districts of this State composed of two counties or more, shall receive from the State as compensation for their services, the sum of fifteen dollars for each day they attend the session of the district court in their respective districts, in the necessary discharge of their official duty, and fifteen dollars per day for each day they represent the State at examining trials, inquest proceedings and habeas corpus proceedings in vacation; said fifteen dollars per day to be paid to the district attorneys, upon the sworn account of the district attorney, approved by the district judge, who shall certify that the attendance of the said district attorney for the number of days mentioned in his account was necessary, after which said account shall be recorded in the minutes of the district court; provided, that the maximum number of days for such attendance and service for which the said commission is allowed shall not exceed one hundred and thirty-three days in any one year; and provided, further, that all fees in misdemeanor cases, and commissions and fees heretofore allowed district attorneys under the provisions of Article 1118 of the Code of Criminal Procedure, and in Chapter 5 of the General Laws, passed at the Special Session of the Twenty-fifth Legislature, in districts composed of two or more counties shall, when collected, be paid to the clerk of the district court, who shall pay the same over to the State Treasurer; provided, the provisions of this bill shall not apply to district attorneys whose last preceding annual report of himself or his predecessor shows that he or his predecessors making such report, received in fees, under the criminal laws, over two thousand four hundred and ninety-five dollars. provided, further, that in districts composed of two or more counties, and in which said district there is a county containing a city of thirty-five thousand population or over, according to the last Federal census, the district attorney in such district shall, with the approval of the county commissioners court of such county, be authorized to appoint one assistant district attorney, who shall receive a salary of not to exceed one hundred and fifty dollars per month, such salary to be paid by such county, payable monthly; and provided, further, that such assistant district

attorney, when so appointed, shall take the oath of office, and be authorized to represent the State in such county, and such authority to be exercised under the direction of the the district attorney, and such assistant district attorney shall be subject to removal at the will of the district attorney. Such assistant district attorney shall be authorized to perform any duty devolving upon the district attorney and to perform and exercise any power conferred by law upon the district attorney when by him so authorized.

Sec. 2. Emergency clause.

S. B. No. 61.

AN ACT

To amend An Act of the Thirty-second Legislature, entitled "An Act to amend Article 21, Title 4, of the Revised Civil Statutes, and to amend an Act passed by the Thirtieth Legislature, creating the Sixth Supreme Judicial District of Texas, and to create the Seventh and Eighth Supreme Judicial Districts of Texas," and to create the Ninth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Ninth Supreme Judicial District of Texas, and to repeal all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That an Act passed by the Thirty-second Legislature creating the Seventh and Eighth Supreme Judicial Districts of Texas, and reorganizing the First, Second, Third, Fourth, Fifth and Sixth Districts, and prescribing their boundaries, same being Chapter 120, of the Acts of the Regular Session of the Thirty-second Legislature, be so amended as to read as follows, to wit:

The State of Texas shall be, and is hereby divided into nine Supreme Judicial Districts, for the purpose of constituting and organizing courts of civil appeals therein, respectively:

1. The following counties shall compose the First Supreme Judicial District: Houston, Madison, Walker, Harris, Grimes, Washington, Waller, Fort Bend, Brazoria, Matagorda, Wharton, Colorado, Austin, Fayette, Lavaca, Jackson, Anderson, Chambers, Brazos, Leon, Burleson, DeWitt, Galveston and Trinity.

2. The following counties shall compose the Second Supreme Judicial District: Wichita, Cooke, Montague, Clay, Archer, Baylor, Knox, Stonewall, Haskell, Throckmorton, Young, Jack, Wise, Denton, Tarrant, Parker, Palo Pinto, Stephens, Shackelford, Jones, Mitchell, Nolan, Taylor, Callahan, Bosque, Eastland, Erath, Hood, Somervell, Comanche, Johnson, Dawson, Howard, and Scurry.

3. The following counties shall compose the Third Supreme Judicial District: Runnels, Coleman, Brown, Mills, Hamilton, Coryell, Bell, Lampasas, San Saba, McCulloch, Concho, Llano, Burnet, Williamson, Milam, Lee, Bastrop, Travis, Blanco, Hays, Comal, Caldwell, Robertson, McLennan, Falls, Sterling, Coke, Tom Green, Irion, Schleicher, and Crockett.

4. The following counties shall compose the Fourth Supreme Judicial District: Val Verde, Sutton, Edwards, Kinney, Maverick, Menard, Kimball, Kerr, Bandera, Uvalde, Zavala, Dimmit, Webb, LaSalle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Gillespie, Mason, Guadalupe, Wilson, Live Oak, Zapata, Bee, Gonzales, Karnes, Calhoun, Victoria, Goliad, Refugio, San Patricio, Aransas, Nueces, Hidalgo, Cameron, Starr, Jim Hogg, Real, Brooks, Jim Wells, and Kleberg.

5. The following counties shall compose the Fifth Supreme Judicial District: Grayson, Collin, Dallas, Rockwall, Ellis, Navarro, Kaufman, Henderson, Van Zandt, Raines, Hunt, Hill, Limestone, Freestone, Wood, and Delta.

6. The following counties shall compose the Sixth Supreme Judicial District: Lamar, Red River, Bowie, Hopkins, Franklin, Titus, Morris, Cass, Marion, Camp, Fannin, Cherokee, Gregg, Harrison, Panola, Smith, Upshur, and Rusk.

7. The following counties shall compose the Seventh Supreme Judicial District: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Farmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Foard, Hardeman, Wilbarger, King, Dickens, Crosby, Lubbock, Hockley, Cochran,

Yoakum, Terry, Lynn, Garza, Kent, and Fisher.

8. The following counties shall compose the Eighth Supreme Judicial District: Gaines, Borden, Andrews, Martin, Loving, Winkler, Midland, Glasscock, Reeves, Ward, Crane, Upton, Reagan, Terrell, Pecos, Brewster, Presidio, Jeff Davis, El Paso, Ector, and Culberson.

9. The following counties shall compose the Ninth Supreme Judicial District: Shelby, Panola, Nacogdoches, Angelina, San Jacinto, Montgomery, Liberty, Jefferson, Orange, Hardin, Newton, Jasper, Tyler, Polk, Sabine, and San Augustine.

Sec. 2. Within thirty days after the passage of this Act the Governor shall, by and with the consent of the Senate, if in session, appoint one chief justice and two associate justices for the Ninth Supreme Judicial District, who shall each reside in the territorial limits of the Ninth Supreme Judicial District, and who shall possess the qualifications now required by law, who shall constitute the Court of Civil Appeals within and for the Ninth Supreme Judicial District, and who shall hold their offices until the next general election in 1916, and who shall thereafter be elected and qualify as provided and required by Article 1581 of the 1911 Revised Statutes of Texas.

Sec. 3. The Court of Civil Appeals for the Ninth Supreme Judicial District shall hold its sessions in the city of Beaumont, in the county of Jefferson, and its terms shall commence on the first Monday in October of each year, and shall continue in session until the first Monday in July of each succeeding year; provided, however, said court may commence its first session immediately upon the appointment and qualification of the judges thereof, and the organization of the court; and provided, further, that if said court is located at Beaumont, the citizens thereof will furnish, provide and equip suitable room or rooms for said court and the members thereof without cost or expense to the State.

Sec. 4. The Court of Civil Appeals for the Seventh Supreme Judicial District shall hold its sessions in the city of Amarillo, in the county of Potter, and its terms shall commence on the first Monday in October of each year, and shall continue in session until the first Monday in July of each succeeding year.

Sec. 5. The Court of Civil Appeals of the Eighth Supreme Judicial District shall hold its sessions in the city of El Paso, in the county of El Paso, and its terms shall commence on the first Monday of October of each year, and shall continue in session until the first Monday of July in each succeeding year.

Sec. 6. Emergency clause.

S. B. No. 392.

AN ACT

To amend Article 1164, of the Revised Civil Statutes of Texas of 1911, relating to the employment or use of the stock, means, assets or other property of a corporation, and declaring for what purposes such stock, means, assets and property may be used; penalizing the officers or agents of such corporations or other organizations, who wrongfully use the moneys contributed thereto, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1164 of the Revised Civil Statutes of the State of Texas of 1911 be amended so as to hereafter read as follows:

"Article 1164. No corporations, domestic or foreign, doing business in this State, shall employ or use its stock, means, assets or other property, directly or indirectly, for any purpose whatever other than to accomplish the legitimate business of its creation, or those purposes otherwise permitted by law; provided, that nothing in this Section shall be held to inhibit corporations from contributing to any bona fide association, incorporated or unincorporated, organized for and actively engaged for one year prior to such contribution

in purely religious, charitable or eleemosynary activities, nor to local commercial clubs or associations or other local civic enterprises or organizations not in any manner nor to any extent, directly or indirectly, engaged in furthering the cause of any political party, or aiding in the election or defeat of any candidate for office, or aiding in defraying the expenses of any candidate for office, or defraying or aiding in defraying the expenses of any political campaign, or political headquarters, or aiding or assisting the success or defeat of any question to be voted upon by the qualified voters of this State or any subdivision thereof. Provided, that the provisions of this Act shall not in anywise affect any suit now pending in this State on the behalf of the State of Texas for any violation of unlawful contributions by any corporation.

Sec. 2. If any officers, agent or employe of such commercial clubs, associations or other civic enterprise or organization, shall use or permit the use of any money contributed to such organizations by said corporations, to further the cause of any political party; or to aid in the election or defeat of any candidate for office; or to pay any part of the expenses of any candidate for office; or to pay any part of the expenses of any political campaign, or political headquarters, or to aid in the success or defeat of any political question to be voted on by the qualified voters of the State or any subdivision thereof; such officer, agent or employer shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five nor more than one thousand dollars.

Sec. 3. Emergency clause.